

File No. 10136 Continued.

CORRESPONDENCE.

7789

The ordinance for the opening of Covington street was passed in 1891 and I have had prepared and introduced an ordinance for the repealing of this ordinance and a refunding to the property holders the benefits so paid, because of the fact that this street has never been opened, but the bed of the same has been rented by the city at an income of \$300.00 per year to the Maryland Label Company for a number of years.

The main thing we are after is to have refunded the benefits and at a meeting of the Highways Committee today it was agreed that the ordinance should be sent to you to determine whether or not the ordinance as prepared and introduced is proper in form, so that you could report to the committee your opinion and the facts in connection with this matter.

The first section of the ordinance provides for the repealing of the ordinance passed in 1891 and the second section for the refunding of the benefits. The committee seems to feel that some redress should be given, and if Section 1 is not in accordance with your view then we desire to know if Section 2 is to remain, as the purpose of introducing this ordinance is to have refunded these benefits from which the parties have never derived any benefit or advantage whatever.

If you will kindly advise me when the ordinance reaches your office I will be glad to give you all the data I have and take the matter up with you. I might add that I had a talk with Mr. Ritchie with reference to the matter last summer and he seemed to think this was the proper procedure and referred me to the Graves case in 19 Maryland, page 351.

Please advise me because I am anxious to get a report from the committee upon this matter before council adjourns for the summer.

Very truly yours,

(Signed) Edward L. Ward,