

File No. 11237. Continued.

OPINION.

8900

I have assumed that this guarantee is in proper form, and I have also assumed that it was within the power of the Electrical Commission to demand it. The rule seems to me to be a reasonable one, but the right of the City to charge corporations rental for duct space not used may be open to question under the terms of the Ordinances. (Pielert's Code, Art. 9, Sects. 6-16).

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At the same time the conduits in question were constructed for the benefit of the Maryland Telephone and Telegraph Company, and upon its request, and only upon the making by it of the above mentioned guarantee, so that I think the benefit of any doubt which exists in this respect should be given to the City, and not to the Company.

Truly yours,

(Signed) Albert C. Ritchie.

Assistant City Solicitor.

File No. 11237.

LAW DEPARTMENT.

Baltimore, May 4, 1910.

Charles E. Phelps, Jr., Esq.,
Chief Engineer,
Electrical Commission.

Dear Sir:-

8902

Replying to your favor of the 22nd ultimo, relative to the occupancy of duct space on Hanover Street by the Maryland Telephone and Telegraph Company, I herewith enclose you, with my approval, copy of a report from Mr. Albert C. Ritchie, on the subject, to myself.

Truly yours,

(Signed) Edgar Allan Poe.

City Solicitor.