

File No. 11,698 Continued.

OPINION.

9333

Article 35, of the City Code, authorizing the City Engineer to direct the proprietor or proprietors of lots fronting on any of the paved streets of the City to pave the footways in front of such lots, and, in case of their refusal to do so, the owner or owners of such lots shall be subject to a fine of ten dollars (\$10.00) for each and every day such notice or order shall remain uncomplied with.

In this connection I would say further that Tenth street is paved with macadam and I assume, as the basis of my findings in this matter, that a street paved with macadam is a paved street of Baltimore City.

There does not seem to be much room for argument on this point, as such streets are recognized by the Legislature as paved streets of Baltimore City, under the Foutz Act.

Your papers are returned herewith.

Very truly yours,

(Signed) Charles A. Marshall.

File No. 11,698.

LAW DEPARTMENT.

Baltimore, August 9, 1910.

B. T. Fendall, Esq.

City Engineer.

Dear Sir:

9334

Replying to your letter of the 3rd inst., as to the right of the City to lay a brick sidewalk on Tenth street in Walbrook, and assess the cost thereof against the abutting property owner, I herewith enclose report on this matter, with my approval, from Mr. Charles A. Marshall.

Very truly yours,

(Signed) Edgar Allan Poe,

City Solicitor.