

File No. 11,698 Continued.

CORRESPONDENCE.

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avenue and Chesapeake avenue, by the City, at that time it was nothing more nor less than a country road, and at a point north of Beech avenue it was very contracted. When the City improved it, it put down macadam and gutters, but no curb, and at the northeast corner of Beech avenue and Tenth street, where the road was contracted, there is a very deep ravine, possibly twenty-five or thirty feet deep, and at this point the street was filled in on the east side, so as to have only a four or five foot sidewalk along the ravine. After the street was paved your department notified me to put a sidewalk down, but I declined to do it, because the City had not filled the sidewalk in, and I did not care to run the chances of a suit for damages in case anyone should fall over in the ravine and be injured. The point I made with the City Solicitor was, that I could not be required to fill in the city street and put down a sidewalk, and that it would be dangerous for me to interfere where the City had only filled in the street for a few feet on the sidewalk. Your department put down a wooden sidewalk, and, the whole matter being referred to the City Solicitor, your department advised that I was not liable for the sidewalk. Recently I have received notice from you to put down a four foot brick sidewalk in place of the walk constructed by the City when the street was paved.

I have notified the City Law Department that I would write you this letter and request that you refer the matter to that department for its consideration. No doubt you have the ruling of the Law Department on this matter when the wooden sidewalk was put down.

If the City will fill in the sidewalk for the full width, I will then fill up my lot and put down a sidewalk.

Respectfully,

(Signed) Richard B. Tippet.

File No. 11,698.

LAW DEPARTMENT.

Baltimore, September 2, 1910.

Hon. Edgar Allan Poe,
City Solicitor.

Dear Sir:

With reference to your letter of August 31st, referring to me

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OPINION.