

File No. 11744Continued.

OPINION.

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of such roads below the surface, that then it would necessarily follow that the rental charges provided for by Section 21 of Article 9 of Pierlet's Code would properly be payable by the Telephone Company.

I have no doubt that the Company will resist the charge. If it does you can so advise me, and I will take the matter up with the Company's counsel.

Very truly yours,

(Signed) Edgar Allan Poe,
City Solicitor.

File No. 11744.

CORRESPONDENCE.

DEPARTMENT OF PUBLIC IMPROVEMENTS,
SUB-DEPARTMENT OF CITY ENGINEER.

Baltimore, August 18, 1910.

Mr. Edgar Allan Poe,
City Solicitor.

Dear Sir:-

I have your favor giving me an opinion as to the liability of the C. & P. Telephone Co. for duct rentals where their ducts are laid under turnpike roads, and shall be governed accordingly.

What should be my attitude with regard to such matters, where ducts have been laid in the past? Should we undertake to collect the duct rental from the time that the ducts were laid to date, and should we continue to report these ducts, for rental charges in the future, regardless of the fact that I have never issued any permits covering these particular conduits?

Very truly yours,

(Signed) B. T. Fendall,
City Engineer.

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