

File No. 12424 Continued.

way on Bromley's Atlas. It is quite possible, therefore, that the street has been in use by the general public for a period of twenty years, and if so, it has become public, even though there is no indication of intention to dedicate it on the records. The extent of the use to which it has been subjected and the length of time during which said use has continued are matters of fact, in regard to which you can probably more readily secure information than I can.

Very truly yours,

(Signed) Joseph S. Goldsmith.
Assistant City Solicitor.

File No. 12353.

Baltimore, February 16, 1911.

O. F. Lackey, Esq.,
Harbor Engineer.

Dear Sir:

I have your favor of the 16th, enclosing the assent of the surety on the Bond of the Sanford & Brooks Company to the payment by the Mayor and City Council of Baltimore to the said Sanford & Brooks Company of seventy-five per cent of the retained percentage now being withheld in connection with work on Piers 5 and 6; also copy of letter from the Raymond Concrete Pile Company to the Harbor Board, dated January 31st, in which notice is given that there is a balance of Fifty-four thousand two hundred and sixty dollars and thirty-four cents (\$54,260.34) due the Raymond Concrete Pile Company by the Sanford and Brooks Company.

In view of the fact that after the payment of the seventy-five per cent of the retained twenty per cent there will still be in the hands of the City an amount in excess of the alleged claim of the Raymond Concrete Pile Company, I know of no legal reason why the pay-