

File No. 12603

Baltimore, April 11, 1911.

B. T. Fendall, Esq.,  
City Engineer.

Dear Sir:

Your letter of the 5th instant, to the City Solicitor, relating to an alley on the south side of the State Tobacco Warehouse, has been referred to me for reply.

I find that the above-mentioned alley originated in a conveyance from John B. Howell, et al., to the State of Maryland, dated June 16, 1836, and recorded in Liber T. K. No. 265, folio 1, whereby the State acquired a strip of land which was described as beginning on the east side of Charles street, 82 feet 6 inches south of Conway street, running thence southerly 20 feet 6 inches; thence easterly to the waters of the Basin; thence northerly 20 feet and 6 inches, and thence westerly to the beginning.

It is provided that the aforesaid land should be forever kept open as a public alley, and that three feet on each side should be used as sidewalks.

The alley is therefore clearly a public highway and should be treated in all respects as such. That being true, it seems to me that, even though the title is vested in the State of Maryland, it is the duty of the City to pave Light Street opposite the alley at its expense.

Very truly yours,

(Signed) Joseph S. Goldsmith.

Assistant City Solicitor.

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