

File No. 36404 Continued.

You recognize that there is no authority in law for me to direct the abatement of either interest or penalty or to compromise the claim. The charges represent money paid by the City for the particular work and all that the City receives back is this amount, plus the interest and penalty thereon for withholding the fund.

Accordingly, it follows that I cannot agree with you in the contentions that you make in your letter.

Very truly yours,
(Signed) Philip B. Perlman,
City Solicitor.

File No. 36404

Baltimore, November 18, 1924.

Mr. Bernard L. Crozier,
Highways Engineer,
City Hall,
Baltimore, Maryland.

Dear Mr. Crozier:

I beg to reply to your letter of recent date, requesting an opinion as to whether Mattfeldt Avenue, south of the Falls Road, is public or private.

Mr. Wyszecski made a careful investigation of the status of this avenue and finds that it was laid out about the year 1896, then being in Baltimore County. The avenue was not reserved from dedication, and therefore, is a dedicated street.

Our information is to the effect that this street has been open since 1896 for general public use, and it is possible that under these circumstances the Court may hold that an acceptance of the dedication has been effected. In view of these facts, it is important

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