

Mr. Allan L. Dell, Deputy Comptroller (cont'd)

SEE ALSO:

School Trustees vs. Bennett, 3 Dutcher 515

The answer to your second question is implied in the foregoing answer to your first question. The Railway agreed to maintain, at its own expense, the structures, facilities, tracks and equipment, and to return them to the City in good operating condition. If the Railway Company now desires insurance against damage caused by war and its incidents, the cost of such protection should be borne by the Railway Company.

Very truly yours,

(signed) ALLEN A. DAVIS

Assistant City Solicitor

AAD/Q