

File No. 8688 Continued.

CORRESPONDENCE.

feet in an alley could determine whether the alley should be paved or repaved, but we could not tell them whether they could determine the character of the paving or not.

Hoping that I am making this clear to you, and awaiting your reply, I remain,

Yours respectfully,

(Signed) James Bosley, M. D.,  
Commissioner of Health.

File No. 8688.

OPINION.

LAW DEPARTMENT.

Baltimore, September 10, 1908.

James Bosley, M. D.,  
Commissioner of Health.

Dear Sir:-

6537

I am in receipt of your letter of Sept. 8th, 1908, addressed to the City Solicitor, relative to Section 833 of the City Charter. I have consulted the City Engineer in reference to the practice of his Department in cases where the owners of a majority of front feet of any street desire the same to be paved, and he informs me that he is always willing to regard the reasonable requests of the property holders, provided they conform to the ordinances of the City. In reference to paving that is, do not desire to pave with material prohibited by law, such as cobble stones. It seems to me that this practice is the correct one and that where paving is done at the expense of the property holders, they should be permitted to select the material which they prefer, provided it is satisfactory to the City Engineer's Department.

The final right, however, to determine the character of the paving should, of course, rest with the City.  
Very truly yours,  
(Signed) Sylvan Hayes Lauchheimer,  
Assistant City Solicitor.

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