

File No. 26022

Baltimore, February 10, 1920.

Roland R. Marchant, Esq.,
City Solicitor.

Dear Sir:

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Replying to the letter from Mr. P. W. Wilkinson, Secretary of the Board of Fire Commissioners, enclosing copy of a letter from F. E. Bullock, Division Plant Superintendent of the C. & P. Telephone Company, in reference to Ordinance No. 41 of the Mayor and City Council of Baltimore, approved May 9th, 1889, I beg to report that the C. & P. Telephone Company, by deed dated April 25th, 1906 and recorded among the Land Records of Baltimore County in Liber W. P. C. No. 304, folio 172, entered into an agreement with the Roland Park Company and the Roland Park Electric and Water Company, whereby the said last mentioned companies granted the Telephone Company, so far as they were capable, the right of using the portions of Roland avenue, Cold Spring Lane, Wyndhurst Avenue and Belvedere Avenue for the purpose of constructing, maintaining and using the conduits and man-holes therein for carrying and operating telephone and telegraph wires and the police and fire alarm wires used or to be used by the County Commissioners of Baltimore County but for no other purpose whatever. An abstract of said deed is hereto attached.

According to Pierlert's Public Service Corporations, Ordinance No. 41 of 1889 was ratified by the Legislature and was decided irrepealable by the City.

C. & P. Telephone Co. vs. Baltimore City
89 Md. 689.

This ordinance provided that in every underground conduit constructed under its provisions space shall be provided, if required, free of cost or rent, for the laying therein by the Board of Fire Commissioners of the City of Baltimore a cable for the exclusive and official use of the fire alarm telephones and the police wires.

By proceedings before the County Commissioners of Baltimore County April 12th, 1899, the Telephone Company was authorized to