

City of Cambridge.
Office of City Solicitor,

December 12th.

1887.

To the Honorable the Board of Mayor and Aldermen.

To your request for my opinion as to the liability of the City in case of any accident which might happen at certain cellar window-gratings and coal-hole in the sidewalk on Main St. opposite the property of W. A. Taylor,

I have the honor to reply, that---the city will be liable for all injuries to person or property which may happen to travellers, using due care, through the defective construction or condition of such gratings and coal hole, if it has had reasonable notice of the defect or might have had notice by the exercise of proper care and diligence.

Respectfully submitted

Chas Mc Intire
City Solicitor.

See -

Cromarty vs. Boston 127 Mass. 329-

To, the Honorable the Mayor and Aldermen of the City of
Cambridge.-

Respectfully represents William A Taylor, that he is the
owner of the Estate No. 481 & 483 Main Street that he has been
to great cost and expense in erecting a building thereon and con-
structing the same for convenient use. That ~~by~~ recent action of
your honorable body, without any hearing being given to him cer-
tain orders were ~~passed~~ which if carried into effect will cause
great ~~in~~ convenience and annoyance to him. That he believes the
action of your honorable body was brought about by mistake and
without properly understanding the premises. That he is desir-
ous of avoiding litigation and complying with all lawful requir-
ments of the City. That as a tax payer,, paying taxes upon a num-
ber of estates in Cambridge, and as a citizen of Cambridge he re-
spectfully prays that your honorable body may grant him a public
hearing and grant him the privilege of maintaining two grated cel-
lar windows and coal hole on his premises on Main Street.

That, there ~~are~~ ^{in the City of Cambridge} now [^] constructed and suffered to remain upwards
of two hundred cellar windows and coal holes, similar to the char-
acter and construction of ~~this~~ [^]. That he prays ^{that} your honorable

body will permit him to retain and maintain said cellar windows and coal hole, and as in duty bound will ever pray.

William A Taylor

We, the undersigned citizens and tax payers of the city of Cambridge respectfully pray that, a hearing may be granted to the said William A. Taylor and that his petition may be granted and that he may be permitted to maintain two grated cellar windows and coal hole on his premises as prayed for.

J. M. Onofra

A. H. Lamson

Wm J. Martin

Doc Buckley

R. H. Raymond

Geo G. Sand

W B Savage

John H. O'Brien

Chas A. Ballinger

Samuel James

J. G. Ball

L. M. Robbins

Charles Bullock

Petition of
William A. Taylor

Nov 30-1887

Ordered, that a hearing be granted
the petition before the full board,
on Wednesday Dec 7th at 8. P.M.

attest Walter N. Pike

City Clerk

Dec 7-1887

Moved that the prayer of the petition be granted

Moved to amend by providing that said petition be granted, upon the execution and delivery of a bond in the sum of five thousand dollars, to hold the City harmless in case of accident by reason of said Window Gratings or Coal hole.

Pending the question on the amendment.

"Laid on the table for one week" and the City Clerk was instructed to obtain the City Solicitor's opinion as to the liability in case of such accident

Attest Walter W. Pike

Dec 14-1887

City Clerk

Granted on condition that a bond of \$3000 be furnished to hold the City harmless in case of accident