File No. 4921 Continued.

OPINION.

3630

where they are located. Out of abundant caution, however, it might be well for the Commissioner of Health, in the case of wells on private property that have been condemned as unfit for drinking purposes, to also proceed under Section 24 of Article 23, which, as you know, relates to the abating of nuisances on private property. A well or spring whose water is unfit for drinking purposes and which is used by individuals for drinking purposes, is certainly a menace to the public health.

Very truly yours,

(Signed) Edgar Allan Poe,

Deputy City Solicitor.

File No. 4921.

## LAW DEPARTMENT.

Baltimore, June 22, 1906.

Alfred M. Quick, Esq., Water Engineer.

Dear Sir:-

3631

I reply to your letter of the 16th inst., with reference to the condemnation of pumps at Woodberry and Hampden.

I answer "Yes" to each of the questions propounded to me, provided that you proceed to exercise the powers involved, after being duly authorized to exercise them by the Commissioner of Health.

I also think, however, that in the case of pumps on private property that have been condemned as unfit for drinking purposes, the Commissioner of Health, before authorizing you to take action, should proceed under Section 24 of Article 23 of the City Code.

Truly yours,

(Signed) W. Cabell Bruce,
City Solicitor.

3632