CC

File No. 4921 Continued.

CORRESPONDENCE.

to the authority of the department to post the pumps and dismantle them where they are public pumps or located on public streets, open to the public, but many of the pumps have been on private property or owned by private parties. I should divide such pumps into two classes, one class being the pumps situated in yards or located on private property not open to the public, and the second class private pumps which are open to the public. In a number of cases, where the pumps were located in yards, not assessible to the public our men have been refused admittance and not allowed either to post or dismantle the pump, and in other cases they have been allowed to post but not to dismantle. I have referred these cases back to the Health Commissioner, and he directed us at first to go ahead with the posting and dismantling, regardless of the protests of the owners. Subsequently, however, he suggested the advisability of communicating with you. I shall be obliged therefore if you will let me know whether, in your opinion:

lst. The Water pepartment has authority to enter in and upon private property to post or dismantle, or to post and dismantle pumps, which are located on such private property and not accessible to the public;

2nd. Whether the department has authority to post and dismantle pumps located on private property, but are accessible to the public; and

and post pumps which have been locked by the owners so that they cannot be used by the public or to demand the pump handles where the owners had previously removed them, either for the purpose of preventing the department from taking them or to prevent their pumps from being used by the public?

Kindly let me hear from you in reply to the above.

Very truly,
(Signed) Alfred M. Quick,
Water Engineer.

File No. 4921.

OPINION.

LAW DEPARTMENT.

Baltimore, June 20, 1906.

Hon. W. cabell Bruce,

City Solicitor,

Baltimore, Md.

Dear Sire

I beg to make the following reply to the questions contained

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we.