File No. 5287 Continued.

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LAW DEPARTMENT.

Baltimore. September 8,1906.

Charles E. Phelps, Jr. Esq.,

Chief Engineer of the Electrical Commission.

Dear Sir:-

Your letter of the 6th inst., with reference to the defective drain pipe on Payette Street, owned by Mr. St. John Schaefer, was referred by me to Mr. Lauchheimer, Assistant City Solicitor, for a report, and I enclose herewith Mr. Lauchheimer's report, dated the 7th inst.

The conclusions reached by Mr. Lauchheimer meet with my approval.

You will observe that, at my instance, he has already written a letter
to Mr. Schaefer, demanding the correction of the grievance.

Truly yours,

(Signed) W. Cabell Bruce,

City Solicitor.

File No. 5287.

LAW DEPARTMENT.

Baltimore. September 7,1906.

Hon. W. Cabell Bruce,
City Solicitor,
Dear Sir:-

I have considered the letter of September 6, 1906, from the Chief Engineer of the Electrical Commission to yourself, in reference to the "damage suffered in the conduit line on Payette Street, from Howard to Liberty, from the bad condition of a drain pipe, the property of Mr. St. John Schaefer".

The there is the right to lay the drain has been granted since the new Charter (under Section 37 thereof), or anterior thereto, it was to lay a drain to connect with the sewer, to discharge therein, and not elsewhere, and any use thereof other than that would be improper, and would entail upon the owner limitity for any consequences which flow from its improper use.

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