

File No. 5358 Continued.

CORRESPONDENCE.

possible and charge the difference in cost to its account, and after finding that it would be impossible for me to obtain bell-end-spigot cast-iron pipe from any other foundry before November next, I decided to purchase a cast-iron pipe known as the "Universal", which is a pipe having a patented joint, not long since put on the market by the Central Foundry Company. It was absolutely necessary for us to obtain pipe to make a few extensions most urgently needed, and, therefore, I ordered a carload of this special pipe, which is, as far as this department is concerned, something in the nature of a last resort, as the pipe is much different from the ordinary bell-and-spigot pipe, and is difficult to use with the department's standard pipe and fittings. However, the pipe is purchased, and its cost by the ton is about Thirteen dollars more than the cost of the bell-and-spigot end pipe furnished by the United Cast Iron Pipe and Foundry Company under its contract. The new style pipe, however, is made of a quality of iron much better than the ordinary bell-and-spigot end pipe, for the joints have to be machined, and machine work cannot well be done on the grade of pipe furnished under the contract. Being of a finer quality of iron, it is not necessary for the pipe to be as thick as the old style of pipe, so that while the cost per ton is greater, yet, owing to the thinner metal, the cost per foot is less or about the same as the pipe furnished by the United States Cast Iron Pipe and Foundry Company.

I write to ask, therefore, if in view of the above we shall be justified in charging any difference in the cost per ton of the "Universal" pipe to the contracting company.

Yours truly,

Water Engineer.

File No. 5358.

OPINION.

LAW DEPARTMENT.

Baltimore, October 3, 1906.

Hon. W. Cabell Bruce,
City Solicitor.

Dear Sir:-

As requested by your favor of September 29th, I have considered the city's rights against the United States Cast Iron Pipe and Foundry Company under the circumstances set forth in Mr. Quick's letters to you of September 28th and September 29th.

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