

File No. 5718 Continued.

OPINION.

## LAW DEPARTMENT.

Baltimore, January 16, 1907.

Eugene F. Rodgers, Esq.,  
 Clerk of Commissioners for  
 Opening Streets.

Dear Sir:-

4197 My delay in answering your letter of the 5th inst., has been due to the intrinsic perplexities involved in the inquiry, which has cost me a considerable amount of reflection. Section 5 of Art. 37, Title, City Surveyor (Pielert's Revision) contains the following proviso "provided that in opening any street designated on Poppleton's Plat, there shall not be allowed for said damage plat more than one day to each square to said surveyor and his assistants, unless the bed of the street to be opened be obstructed by improvements". Resorting to these provisions by way of analogy, the charge of Mr. Thomas, the City Surveyor, should be made per square as shown on Poppleton's plat; that is to say the unit of calculation should be the space between two public streets shown on that plat; alleys and private streets being disregarded. There is no provision of law bearing directly upon the inquiry.

Truly yours,

(Signed) W. Cabell Bruce,

City Solicitor.

4198

File No. 5719.

CORRESPONDENCE.

DEPARTMENT OF PUBLIC SAFETY  
 SUB-DEPARTMENT OF HEALTH.

Baltimore, January 5, 1907.

Hon. W. Cabell Bruce,  
 City Solicitor.

Dear Sir:-

4199 Please find enclosed a letter sent to this Department by John T. Graham, informing us that Mr. Planigan and he owned jointly a sewer.