

File No. 7969 Continued.

OPINION.

there would seem to be no ordinance covering this specific case, but that would not prevent the Harbor Board from proceeding to dredge the channel as required. Any loss sustained by Becker and Company, because of the said dredging, would have to be borne by themselves; this work being done for the protection of the public health, and under the police power. Notice should be sent to Becker and Company that the Harbor Board intends to dredge, and advising them to take all steps necessary to protect their bulkhead. If nothing be done after the expiration of the time stated in the notice, the Harbor Board may proceed.

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If, however, the condition of the bulkhead at the present time is such as to make it dangerous to the public, or will become more so, after the dredging has been done, then the Harbor Board would have the right to notify Becker and Company to repair within a stated time, and if the repairs are not made, may have them made, and charge the cost thereof to Becker and Company.

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If the office building is entirely on land, the Harbor Board would have no jurisdiction, and anything that is to be done, must be done by the Inspector of Buildings. If the office building is in a dangerous condition the Harbor Engineer should confer with the Inspector of Buildings in reference thereto, so that the latter may give the proper notice required for the protection of the public, as was done when the Locust Point Ferry House was condemned.

Very truly yours,
(Signed) Sylvan Hayes Lauchheimer,
Assistant City Solicitor.

File No. 7969.

LAW DEPARTMENT.

Baltimore, May 8th, 1908.

Oscar F. Lackey, Esq.,
Harbor Engineer, City.

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Dear Sir:-
Replying to your letter of the 5th instant, asking me to advise you whether you have the authority to require William Becker & Co. to make the necessary repairs to their bulkhead, and to take the necessary precautions from cracking and settling, I enclose herewith copy of a report, dated the 7th instant, from Mr. Sylvan Hayes Lauchheimer, Assistant City Solicitor, to myself with reference thereto.
I concur in the conclusions reached by Mr. Lauchheimer.

Truly yours,
(Signed) W. Cabell Bruce,
City Solicitor.