

File No. 8750.

CORRESPONDENCE:

DEPARTMENT OF PUBLIC IMPROVEMENTS.

SUB-DEPARTMENT: HARBOR BOARD

Baltimore, Md.

Baltimore, September 22, 1908.

Mr. E. A. Poe,
City Solicitor.

Dear Sir:-

6575

Sometime ago I was authorized by the Board of Estimates to construct a 50 ft. street in the centre of Pier 2 along the unleased portion of said pier. The Atlantic Fruit Company who have leased 256 ft. along the east side from the south end of pier and the Standard Oil Company who have leased 101 ft. on the west side of pier south of Pratt street, have requested this Department to do the paving along this property at the same time that we are paving the rest of the street. The only other lessee on this pier is the Lanasa & Goffe Steamship Company, who do not at this time desire to have their portion of street paved, as there is some little contention between this Company and the Board of Estimates.

Under the Ordinances making grants to the Atlantic Fruit Company, the Lanasa & Goffe Steamship Company and the Standard Oil Company for certain space on pier 2, we are obliged to construct or cause to be constructed a single track of railroad in or adjacent to the centre of pier. This in itself would require a cut 8 ft. wide down the centre of pier and would leave the street unpaved only for half its width adjacent to the lot leased to the Lanasa & Goffe Steamship Company. It would be impracticable to construct this street leaving out the paving in front of the Lanasa & Goffe property, as water would get under the foundation of the new pavement and cause settlement.

Have we not the right, under their Ordinance No. 127 to construct this pavement on their property, charging them the proportionate amount of the entire construction. The cut at the upper end of pier is very much in excess of the cut bordering along the property of the Lanasa & Goffe Steamship Company, which would impose a hardship on the lessees of the upper end of pier with the actual cost of the pavement in front of the properties of the individual lessees charged directly to them, instead of taking the total cost of paving and charging so much per sq. yard; they all derive equal benefits and it seems fair to me that the price per sq. yd. should be the same for the entire length of pier.

Yours truly,

(Signed) G. F. Lackey.

Harbor Engineer.

OPINION.

File No. 8750.

LAW DEPARTMENT.

Baltimore, September 25, 1908.

Hon. Edgar Allan Poe,
City Solicitor.

Dear Sir:-

6576

As requested by your favor of September 24th, I have considered the matters referred to by Mr. Lackey in his letter of September 22nd,