

File No. 8792 Continued.

OPINION.

I enclose the papers requested by you.

Very truly yours,

(Signed) Edgar Allan Poe,
City Solicitor.File No. 8792.

CORRESPONDENCE.

DEPARTMENT OF PUBLIC IMPROVEMENTS.
SUB-DEPARTMENT OF CITY ENGINEER.

Baltimore, October 10, 1908.

Edgar Allan Poe, Esq.,
City Solicitor.

Dear Sir:-

6600

Referring to Mr. Lauchheimer's letter, regarding the contention about poles, I find Section 38 of Article 41, of Pielert's Code of 1906, which purports to be a reproduction of Ordinance No. 86, of April 20th 1893, and Ordinance No. 31, of March 27th 1894, does not agree with the printed ordinance as reported in the ordinances published for 1894. We have been working on this Ordinance No. 31 ever since I have been in office, and Ordinance No. 31 provides that the various companies shall furnish the City Commissioner with a complete list of poles owned and used by them; whereas Pielert's Code says that the list shall be furnished the Collector of Water Rents and Licenses, and that the Collector of Water Rents and Licenses shall proceed against companies failing to furnish proper lists. In other words, Pielert's Code changes the agency for handling the pole situation, by taking it out of the hands of the City Commissioner, now the City Engineer, and placing it in the hands of the Collector of Water Rents and Licenses.

As I understand it, Pielert's Code has not been ratified by the City Council; therefore, I assume that this case is still in my hands under Ordinance No. 31, of March 27, 1894, and not in the hands of the Collector of Water Rents and Licenses, as indicated in Pielert's Code.

Before proceeding against the various companies, under Mr. Lauchheimer's communication, I would like to have this particular question