

File No. 8872.

CORRESPONDENCE.

CITY OF BALTIMORE  
WATER DEPARTMENT.

Baltimore, October 16th, 1908.

Mr. Edgar Allan Poe,  
City Solicitor,  
Baltimore, Md.

Dear Sir:-

6669

Sometime about September 15th of last year the Sewerage Commissioner notified the Consolidated Gas, Electric Light and Power Company to raise its 24-inch main at Stockholm and Cross streets in order to have it out of the way of sewer construction going on at that location. Right above this gas main the Water Department had laid five 1 1/2-inch cast iron services, and, of course, the gas main could not be raised to the required height to clear the sewer until the Water Department had disposed of its services. Therefore, on October 30th of last year, Mr. Baedenkopf, engineer of the gas company, wrote to this department to request that we move the water service pipes. A copy of this request is as follows:-

"In order to raise the 24-inch gas main for the city sewer, now being constructed at Stockholm and Cross streets, we find that it will be necessary for the City to raise five 1-1/2" water services, which work you are requested to do".

While this request did not specifically promise to pay for the cost to the department of moving these service pipes, yet, as all such requests have generally been taken to mean that the corporation or individual making them expected the work to be done at his expense. The services were moved and bills for the cost of work were in due course sent to the Consolidated Gas, Electric Light and Power Company, two bills of \$27.55 and \$12.28 respectively.

In response to a request for settlement the engineer of the Consolidated Gas, Electric Light and Power Company wrote under date of September 17th last, as follows:-

"The enclosed bills, amounting to \$27.55 and \$12.28, are returned, as we are advised by our counsel that the Company is not liable for these bills, and must therefore decline to pay them".

The above is a statement of facts, and in advising you of