

File No. 8872 Continued.

CORRESPONDENCE.

these facts it is with the request that you will give your opinion to the Water Board thereon, letting us know if the Consolidated Gas, Electric Light and Power Company is legally liable for the expense incurred by the Water Department, as covered by the bills presented; and if so we will send the bills to you for collection. If, however, you think the charge is not a proper one, then the bills will be cancelled.

Yours truly,

WATER BOARD OF BALTIMORE CITY,

By (Signed) Alfred M. Quick,

President.

File No. 8872.

OPINION.

LAW DEPARTMENT.

Baltimore, October 19th, 1908.

Alfred M. Quick, Esq.,

Water Engineer.

Dear Sir:-

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Replying to your favor of October 16th, relative to the propriety of charging against the Consolidated Gas, Electric Light and Power Company the cost incurred by the Water Board, amounting to \$27.58 and \$12.28 for raising five 1-1/2" water services as more fully explained in your letter, I beg to advise you as follows.

If the work ~~was~~ necessary in order to facilitate the sewer construction at that location, irrespective of the presence and the removal of the gas mains, the cost should be borne by the City. If, however, the work was done merely to enable the Gas Company to remove its gas mains, and apart from such fact, would not have been necessary at all, it seems to me that the cost thereof should be charged to the Gas Company as any other cost incidental to the removal of the main.

Very truly yours,

(Signed) Edgar Allan Poe,

City Solicitor.