

File No. 9041.

CORRESPONDENCE.

ELECTRICAL COMMISSION OF BALTIMORE CITY.

OFFICE OF CHIEF ENGINEER.

Baltimore, November 9, 1908.

Edgar Allan Poe, Esq.,

City Solicitor.

Dear Sir:-

I am almost continually receiving letters from the Engineer of Way of the United Railways & Electric Company, claiming that work which we are doing in proximity to street railway tracks is causing settlement and he is demanding orders from me so that the company may re-align their tracks and charge the expense to this Commission.

Practically we do not find his position well taken but it is most annoying and unless we have some conclusion of the matter it may, as things look now, involve the city and the United Railways in unnecessary litigation. I have consequently written this day to Mr. Hood, Engineer of Way of the United Railways Company, that in the future when we work in proximity to his tracks, we shall serve a proper notice upon his company to remove or take care of his tracks. I have not before undertaken to do this, preferring instead to locate our work to the best advantage of both the United Railways Company and this Commission, realizing the expense of moving and removing street railway tracks, but as it seems to be Mr. Hood's intention to pile up a lot of complaints I think the only thing left us is to exercise our undoubted legal rights.

I respectfully request that you will prepare a formal draft of a notice which will retain the City's rights in the operations of this Commission.

Very respectfully,

(Signed) Charles E. Phelps, Jr.,

Chief Engineer.

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OPINION.

LAW DEPARTMENT.

Baltimore, November 11, 1908.

Hon. Edgar Allan Poe,

City Solicitor.

Dear Sir:-

Replying to your request for a report on the letter of November