

File No. 9041Continued.

CORRESPONDENCE.

ELECTRICAL COMMISSION OF BALTIMORE CITY
OFFICE OF CHIEF ENGINEER.

Baltimore, February 19, 1909.

Edgar Allan Poe, Esq.,
City Solicitor.

Dear Sir:-

Sometime ago I had correspondence with you and received a report to you from Mr. Wright, Assistant City Solicitor, in respect to the relation of our work to the tracks of the United Railways and Electric Company. The report of Mr. Wright seemed to be conclusive that the obligation was on the Railways Company to maintain, shore up, &c., their tracks when our work was in their vicinity.

In further connection thereto I respectfully refer copies of communications received from Mr. J. M. Hood, Jr., Chief Engineer of the United Railways & Electric Company, under date of February 9th and 16th respectively, enclosing copies of letters to the Chief Engineer of the Sewerage Commission from Mr. Hood, to Mr. Hood from Mr. Bernard Carter, and a second letter to Mr. Hood from Mr. Bernard Carter.

This question seems to be entirely a legal one and I request that you will advise me how to proceed. You will note that Mr. Carter's opinion seems to be that the Sewerage Commission, the Water Department and the Electrical Commission are to be held responsible for any settlement of the Railway tracks due to the works of these several City Departments.

Since my correspondence with you I have been sending a formal notice to the Railways Company of the work we contemplated doing, requesting them to take care of their tracks. This is the "stereotyped phrase" referred to by Mr. Hood in his letter of February 9th.

Very truly yours,

(Signed) Charles E. Phelps, Jr.,

Chief Engineer.

The copies referred to in above letter are copies of letters included in this correspondence as follows:

- (1) Letter of February 9, 1909, from J.M. Hood, Jr., to C. W. Hendrick;
- (2) Opinion from Bernard Carter to J.M. Hood, Jr., dated December 13, 1907.