

Vol 12

File No. 9659.

CORRESPONDENCE.

SEWERAGE COMMISSION  
OF THE CITY OF BALTIMORE  
CHIEF ENGINEER'S OFFICE.  
AMERICAN BUILDING.

Baltimore. February 24, 1909.

Mr. Edgar Allan Poe,  
City Solicitor.

Dear Sir:-

7181

The Sewerage Commission let a contract for building a 15-inch storm-water drain in Calvert street, north of Thirty-first street, extending about 187 feet. At the time the contractor went in to do this work there was an existing fill which seemed to be satisfactory. The drain was constructed in a satisfactory manner on this fill. Before the contract was accepted and inspection made of all the drains under the contract, this 187 feet of drain was found to have settled, which seems, from investigation, to have been caused by the fill going down. Whether this was caused by the building of houses adjacent thereto or not is a question. The contractor claims the drain was completed in a satisfactory manner, and that the sinking of the drain was due to the settlement of the fill, which was in no way due to negligence on his part.

The cost of repairing this drain will amount to about \$450.00. I have taken the stand that I cannot accept the drain unless it is in a satisfactory condition. The contractor claims that it is not his fault. As this is a legal question, outside of the contract, I would like your advice as to whether the Sewerage Commission have authority to spend the additional amount of money to rectify the settlement of this drain.

Yours truly,

(Signed) Calvin W. Hendrick,  
Chief Engineer.