

File No. 9659 Continued.

CORRESPONDENCE.

charge, and if pipe has settled, as you state, it is in no way the fault of the material or work, but solely on account of your orders to place drain on an unsettled fill, which fact you were fully cognizant, and, therefore, I refuse to take up said pipe and repair same at my expense.

Yours truly,

(Signed) David Peoples,  
Per D. V. Ault,  
Superintendent.

File No. 9659.

LAW DEPARTMENT.

Baltimore. March 13, 1909.

Calvin W. Hendrick, Esq.,  
Chief Engineer,  
Sewerage Commission.

Dear Sir:-

7185

Replying to your letter of March 4th, in reference to the matter of the storm water drain in Calvert Street, north of Thirty-first street, which has settled, I beg to reply, as follows:

If the work in question was in the nature of extra work not shown on the plans and drawings, and the David Peoples Company were ordered by you to lay the drain upon the fill, then it seems to me that they should not now be charged with the cost of repairing the drain brought about by the settling of the fill, but if the work was not in the nature of extra work, but was shown on your original plans and drawings, then I see no reason to change my previous ruling.

I return the specifications which accompanied your letter.

Very truly yours,

(Signed) Edgar Allan Poe,  
City Solicitor.