

File No. 9729 Continued.

CORRESPONDENCE.

7274

I would then refer you to Section 24, page 8, which reads as follows -

"All flagging, belgian blocks, curbing, bricks, sidewalks, steel rails, etc., not in line of construction on all ground, constituting the piers 4, 5 and 6 and East Falls Avenue, and docks between same, also all pipes and iron of every description in the ground, shall be the property of the City".

The question rises as to what is the line of construction, the contractor claims that all space from 75 feet east of the east side of Pier 3 to 30 feet east of the east wall of Jones' Falls south from Pratt street to the water is within the lines of construction. I claim that the line of construction is the line of the bulkhead forming the east, west and south end of piers, the same projecting back to the tie piles or the innerline of the construction.

Again, on page 11, second clause, under Dredging:

"Dredged material to be measured by scow measurement. All other materials, piles, timber and stone, removed, either by dredging or otherwise, shall become the property of Contractors".

Will you kindly let me have your opinion in regard to this matter.

Yours truly,

(Signed) O. F. Lackey,

Harbor Engineer.

File No. 9729.

OPINION.

LAW DEPARTMENT.

Baltimore. March 26, 1909.

O. F. Lackey, Esq.,

Harbor Engineer.

Dear Sir:-

7275

I reply, as follows, to your favor of March 13th, in reference to the ownership of the belgian blocks referred to in your letter.

It seems to me that there should be no difficulty whatsoever in this matter and that your interpretation of the specifications is correct. The line of construction, manifestly, refers only to the actual changes made in each pier and all old material, poles, timber and stone,