

File No. 9730.

CORRESPONDENCE.

CITY OF BALTIMORE
WATER DEPARTMENT.

Baltimore, March 13th, 1909.

Hon. Edgar Allan Poe,
City Solicitor,
Baltimore, Md.

Dear Sir:-

7277

Sometime since the Water Department laid a main in Ridgewood avenue, West Arlington. This main was laid under drain pipe, and due to the settlement of the trench over the pipe, the drain was broken. The owner of the drain has made a claim on the Water Department for cost of repairs thereto. Please advise me if the Department is responsible for this damage. You will understand that the drain was not broken during the laying of the pipe. It was left in good order when trench was refilled. When the trench settled, the drain pipe settled with it until it broke.

Yours very truly,

(Signed) Alfred M. Quick,

Water Engineer.

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OPINION.

LAW DEPARTMENT.

Baltimore, March 16th, 1909.

Hon. Edgar Allan Poe,
City Solicitor.

Dear Sir:-

7278

Replying to yours of the 15th instant, asking for an opinion upon the letter of Alfred M. Quick of the 15th instant, I beg to say as follows: the question is whether the City is responsible for the cost of repairing a drain pipe belonging to a private party under the following circumstances.

A water main was laid under the drain pipe; was properly laid, and the trench which was dug for the water main was properly