

File No. 9738 Continued.

CORRESPONDENCE.

reference to removal of pole at the corner of Chase street and Col-  
lington avenue, and note what you state relative to the assumption  
of expense of this removal.

I would refer to my letter to you of February 23rd and your  
reply of February 24th, relative to this situation, from which I  
think you will conclude that this removal is not of the class con-  
templated under the Enabling Act referred to.

Yours very truly,

(Signed) William Darbee,

Assistant General Manager.

File No. 9738 Continued.

OPINION.

LAW DEPARTMENT.

Baltimore, March 20th, 1909.

Hon. Edgar Allan Poe,  
City Solicitor.

Dear Sir:-

I have considered the inquiry of the Chief Engineer of the  
Sewerage Commission, contained in his letter to you dated March 17th,  
1909.

The New Sewerage Act (Acts of 1904, Ch. 349, Sect. 4) pro-  
vides that "all individuals and corporations having structures, works  
or physical obstructions in, over or under the public lanes, avenues,  
streets, alleys or highways which shall block or impede the progress  
of said sewerage work, shall, upon reasonable notice, promptly so  
shift, adjust, accommodate or remove the same, at their own cost and  
expense, as to fully meet the exigencies occasioning such notice".

An inspection of the correspondence will show that the  
removal of the pole is not required because it blocks or impedes the  
progress of said sewerage system, but, on the contrary, its removal  
is desired to accommodate the location of a gas lamp.

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