

File No. 9981 Continued.

CORRESPONDENCE.

form similar to that which I am sending you herewith.

Yours very truly,

(Signed) Alfred M. Quick,

Water Engineer.

File No. 9981.

OPINION.

LAW DEPARTMENT.

Baltimore, May 17th, 1909.

Hon. Edgar Allan Poe,
City Solicitor.

Dear Sir:-

I have your letter of the 10th instant, asking for a report on the communication of the Water Engineer, dated May 7th. The question is as follows:

About thirty years ago certain water mains were laid, as shown on the enclosed plat, by the green lines, through the back yards of certain properties. A few years ago a policy was adopted by the Water Department to lay water mains only in dedicated or public streets or alleys, or where an easement was acquired for that purpose.

Can the Water Department now lay a main in the alley, as shown by pencil line on the within sketch, and disconnect the house connections with mains situated in the back yards, so that the owners of the properties involved would be compelled to construct connections to the new pipe to be laid in the alley?

This matter does not seem very clear. In the first place Mr. Quick, in his letter, refers to a requirement of this office, that a main should be laid either in a dedicated or public street, or under an easement. I am advised by Mr. Weeks that no such order or requirement has ever emanated from this office, although the policy referred to is undoubtedly a wise one and should control the Water Department in the future.

A somewhat different question is raised, however, when the Water Department proposes to sever connections made with mains laid many

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