

File No. 9999 Continued.

OPINION.

some \$6,000.00 this course should be pursued.

7683

The first objection is to Item 1, on page 9, in which the bid is placed at \$6.50 in letters and \$6.00 in numbers. Legally the letters would control, but even so the bid would still be lower than that of any of the competitors. If the intention was to charge \$6.00 merely, this could be corrected by William McCarthy & Company.

The second objection is to Items 4c, 5c and 6c, on pages 11 and 12, in which the bidder has added the words "Lock Joint Pipe Company".

7684

The Chief Engineer informs me that if these words had not been added and pipe manufactured by the Lock Joint Pipe Company had been furnished by the contractor, it would have been accepted. The addition of these words, therefore, seems to me to be but mere surplusage.

The third objection is to Item No. 55, on page 19, in which no figures are inserted, but the words added "This Item included in price bid for reinforced pipe".

7685

The effect of this is to make the bidder furnish this Item without any additional cost, and is substantially to the effect that no charge will be made, and is the same as though two zeros had been written in the two places designed for the price.

Very truly yours,

(Signed) Sylvan Hayes Lauchheimer.

Deputy City Solicitor.

File No. 9999.

LAW DEPARTMENT.

Baltimore, May 18, 1909.

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

Dear Sir:-

7686

I herewith enclose, with my approval, copy of a report to me from Mr. Lauchheimer, covering the questions raised by you in your letter of May 14th, in reference to the bid of William McCarthy & Co.,

Very truly yours,  
(Signed) Edgar Allan Poe,  
City Solicitor.