

File No. 10001 Continued.

OPINION.

which you will kindly act. I return the communication from Mr. Jacobs.

Very truly yours,

(Signed) Edgar Allan Poe,

City Solicitor.

File No. 10001.

LAW DEPARTMENT.

Baltimore. June 15, 1909.

Dr. James Bosley,  
Commissioner of Health.

Dear Sir:-

7694 Mr. Putts saw me the other day with regard to the opinion I rendered Mr. Poe, under date of May 24th last, in connection with the abatement of the nuisance South of the 2500 Block West North Avenue, and which report Mr. Poe forwarded to you. As you will see from my report, my understanding was that the owner of the property, upon which the nuisance now exists, had diverted the course of the sewer from the Western Maryland culvert upon his own property, and that he thus created the nuisance and brought it upon himself.

Upon this supposition, I thought that the owner of the property, who thus brought the nuisance upon himself, was the proper person to abate it. This information was given to me by Mr. Jacobs and confirmed by Mr. Hurst, and I had no idea until Mr. Putts saw me that it was not correct. I now understand that the real situation, (which I insert here for our own files,) is as follows -

That about four years ago Mr. Jacobs' clients owned houses on Thomas Avenue and Warwick Avenue; these houses became flooded and the Health Department found that this was caused by a blind ditch, which ran westerly under the bed of Thomas Avenue, and which was used as a sewer by adjacent property. The Health Department notified the property owners, who were connected with this blind ditch, to abate the