

File No. 10094 Continued.

CORRESPONDENCE.

from backing up, but it would be dangerous and impracticable to do such dredging prior to the completion of the repairs to Mr. Thomas' bulkhead.

Kindly render me an opinion as to what is the best course to pursue.

Yours truly,

(Signed) O. F. Laakey,

Harbor Engineer.

File No. 10094.

OPINION.

LAW DEPARTMENT.

Baltimore. May 28, 1909.

Hon. Edgar Allan Poe,
City Solicitor.

Dear Sir:-

I have considered the inquiry of the Harbor Engineer to you, dated May 26th 1909, in reference to the procedure to be followed in case H. L. Thomas persists in his refusal to repair his bulkhead.

Inasmuch as the second notice has been given, the Harbor Engineer should wait until the time stated in the notice expires (which will be about June 25th) and then, in the event the repairs have not been made, the Harbor Engineer should proceed under Section 12 of Article 13 of the Code of 1906, as the Harbor Engineer informs me the repairs are to be made to a private wharf and that, until repaired, conditions will be produced injurious to navigation.

Should Mr. Thomas fail to comply with the requirements of the notice, then he should be arrested so that he may be subjected to the penalty provided for in said Section 12.

Very truly yours,

(Signed) Sylvan Hayes Lauchheimer,
Deputy City Solicitor.