

File No. 10542 Continued.

CORRESPONDENCE.

your rails is the result of your work under the Enabling Act, and similar to that along your track outside of any work of the Sewerage Commission, I do not consider that the Commission have anything to do with the matter.

Yours truly,

(Signed) Calvin W. Hendrick,  
Chief Engineer.

File No. 10542.

OPINION.

LAW DEPARTMENT.

Baltimore, October 8th, 1909.

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

Dear Sir:-

I reply as follows to your favor of October 2nd, with its several enclosures, relating to the complaints from the Chief Engineer of the United Railways and Electric Company, regarding the condition of certain paving over your trenches on Harford avenue and Gay street.

I would suggest that the only thing for you to do, upon receiving complaints from the Railroad Company, is to follow the course that you have pursued in the past of having the complaints investigated. If they are well founded, the defects in the street should be remedied; if the complaints are not well founded, there is nothing for you to do but to disclaim responsibility.

Of course, the fact that the street surface in the neighborhood of the Railroad Company's tracks, outside of the line of your work, is in bad condition, and is allowed by the Railroad Company to remain in that condition is no justification for defective work on behalf of the contractors of the Sewerage Commission. No matter what the condition of the rest of the street may be, the contractors must live up to their obligations in connection with the paving of street surface over their trenches.

Very truly yours,

(Signed) Edgar Allan Poe,

City Solicitor.

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