

File No. 11194 Continued.

OPINION.

LAW DEPARTMENT.

Baltimore, April 19, 1910.

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

Dear Sir:

Replying to your inquiry, under date of April 13th, relative to the discharge of M.J. Kelly, foreman of one of the contractors of the Sewerage Commission, I herewith enclose a copy of a report made to me on the subject from Mr. Wright.

8853 I think the conclusions reached by Mr. Wright are sound. Out of abundant caution, however, I would suggest that it would be better for you to modify slightly the last clause of your letter of April 2nd to Mr. Brosius and to the Division Engineers. I would make the order apply to the present only and let the future take care of itself. If Kelly should subsequently be employed by other contractors, you could take the question of his employment up again anew. Kelly might claim that a general order absolutely prohibiting him from ever again being employed on work of the Sewerage Commission was evidence of express malice on your part.

I return Mr. Kelly's letter.

Truly yours,

(Signed) Edgar Allan Poe,
City Solicitor.