

File No. 11802Continued.

OPINION.

9455

absence of some authority warranting the change or some new contract with the contractor in reference to the change, the contractor cannot be held responsible.

I should like for you to send me your views as to the authority conferred by the specifications or any new contract made, as, in my judgment, the answers to your questions depend upon the correct interpretation of the specifications.

I return the correspondence which you have sent, and shall be glad to take the matter up further with you if you desire.

Very truly yours,

(Signed) Sylvan Hayes Lauchheimer,
Acting City Solicitor.

File No. 11802.

CORRESPONDENCE.

SEWERAGE COMMISSION
OF THE CITY OF BALTIMORE
CHIEF ENGINEER'S OFFICE
AMERICAN BUILDING.

Baltimore, September 9, 1910.

Mr. S. H. Lauchheimer,
Acting City Solicitor.

Dear Sir:-

9456

Replying to your letter of the 8th, in reply to my letter of the 7th, regarding damages to the property of Mr. H.C.W. Kumlehn, 1935 E. Fayette street, I enclose herewith a copy of the general specifications governing this contract, in which I have marked the paragraph (No. 6, on page 4) authorizing the Commission to make changes in the alignment, form, length, dimensions or materials of the sewers. In this connection, I would state that the slight change made in the line of the sewer was for the purpose of avoiding obstructions in the original location, and also to keep the sewer farther away from a larger building than the one referred to above, thus lessening the liability of damaging this larger building.