

File No. 19953

Baltimore, January 24, 1912.

Hon. James H. Preston,
Mayor of Baltimore.

Dear Sir:

0144A

Yours of the 22nd inst., enclosing a letter from the Harbor Engineer, dated December 27, 1911, complaining that work which had been done by the Harbor Board, in making condemnation plats for certain property condemned for the commercial and recreation pier, was being duplicated by the City Surveyor, received.

Mr. Lackey writes that he thinks it unnecessary for the City Surveyor to make the condemnation plats. I am advised by Mr. Driscoll, who has charge of the titles, that the plat made by the Harbor Engineer's department could not be used for the condemnation plat, and that it was necessary for the City Surveyor to make the final, or condemnation, plat. However this may be, the law requires that the condemnation plat be made by the City Surveyor, and it is certainly futile to raise objections to the City Surveyor doing that which, by the law, he is entitled to do.

It would be only just to add that the City has, perhaps, never had a surveyor more accommodating or more competent or more disposed to save the City money wherever it can be reasonably done.

Under the Act of 1910, Chapter 485, Section 4, page 633, providing for the Recreation Pier, the condemnations are required to be made by the Commissioners for Opening Streets.

By the City Charter, Section 205, the Surveyor's duties and compensation shall be prescribed by the Ordinances of the Mayor and City Council.

By Ordinance which is found in the City Code of 1906, Art. 37, Section 3, the Commissioners for Opening Streets are required to have the final, or condemnation, plat made by the City Surveyor; so that the Commissioners for Opening Streets and the City Surveyor are acting in strict obedience to the law in this matter.

I am sending a copy of this letter to the Harbor Engineer, thinking, perhaps, it would save you the trouble of doing so.

Yours very truly,
(Signed) S. S. Field,
City Solicitor.