

File No. 36404 Continued

the pollution of streams. You advise that authority to so enter is necessary to abate such a nuisance.

The powers conferred upon you as Commissioner of Health authorize you to adopt all means in your judgment reasonably necessary to abate any nuisance which is dangerous to health, and it is my opinion that the City has the power to enter upon private property for the purposes you mention, if in your judgment such action is imperative in order to protect the public health.

Very truly yours,

(Signed) Philip B. Perlman,
City Solicitor.

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File No. 36404

Baltimore, December 16, 1924.

Mr. Bernard L. Crozier,
Highways Engineer,
City Hall,
Baltimore, Maryland.

Dear Mr. Crozier:

I beg to reply to your letter of December 1st, in which you ask me whether or not Mr. J. I. Bealmear is entitled to an exemption on a portion of the bill sent him by the Tax Department for footway paving done by your department on the north side of Gwynns Falls Parkway from the curb line of Clifton Avenue, north about 225 feet.

As I understand it, Mr. Bealmear's request for an abatement of part of this bill is based on the contemplated widening of Clifton Avenue, which, when completed, will include a portion of the footway paved by your department.