File No. 3522 Continued. CORRESPONDENCE.

will give me your opinion as to what I shall do in this case.

Mr. Frank H. Phelps is now building or about to build houses on the North side of Windsor Mill Road, and these houses are to be erected on properties that border on the bed of a natural stream, which is West of 15th St., Walbrook. As far as the waste from water-closets is concerned, I think that it is likely that Mr. Phelps will for a time, at all events, conduct it to a well; but it is more than likely that as far as kitchen and bath wastes are concerned he will conduct it to a stream. The Board of Estimates will not consider an application to carry polluted material into a stream, and, therefore, we cannot grant him a permit to lay a drain for this purpose. It is very certain that no well will be of the slightest use to him a very short time after he began conducting kitchen waste into it.

Now what shall be done? Shall we refuse him a permit to do or put in the interior work and arrest him if he does it without a permit, or shall we grant him a permit, supervise the work, and let him decide later what he shall do with the waste material?

Yours respectfully,

(Signed) James Bosley, M. D.,

Commissioner of Health.

File No. 3522. OPINION.

LAW DEPARTMENT.

Baltimore, October 3, 1905.

Hon. W. Cabell Bruce,

City Solicitor.

Dear Sir:-

2863 I send you herewith my report upon the inquiry submitted to you by Dr. Bosley in his letter of September 21st, which refers to the granting of a permit to Mr. Frank H. Phelps for draining certain property on the Windsor Mill Road.

It seems that formerly, applications were made to the Health Department for permits for interior plumbing without stating the proposed method of disposal. After obtaining these permits, the applicants