

File No. 8715 Continued.

OPINION.

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contract between the contractor and the City. That contract provides, among other things, that "in case of injury, damages or disturbance to any buildings, bridges, fences, walls or other structures during the construction of the sewer herein contracted for, whether directly or indirectly by and because of the construction of said sewer, or of any extra work entering into this contract, the contractor shall, at his own cost and expense, proceed to restore, repair, rebuild or otherwise make good the damage, injury or other disturbance so noted, and put the said buildings, bridges, fences, walls or other structures in a condition the same as or equal to that existing previous to his beginning work."

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You will observe that the aforesaid provision of the contract requires that, after construction of the sewer, the owner shall have a building neither better nor worse than he would have had if the sewer had not been constructed. The contractor is required to make all such repairs as may be necessary to give him a building equal to, but not better than, that which he had before the commencement of the work.

With the above advice, I am sure you will be able to determine better than I could what repairs or alterations should be required of the contractor.

Very truly yours,

(Signed) Joseph S. Goldsmith,
Assistant City Solicitor.

File No. 8730.

OFFICE
BOARD OF FIRE COMMISSIONERS
CITY HALL.

CORRESPONDENCE.

Baltimore, September 17, 1908.

Mr. Edgar Allan Poe,
City Solicitor.
Dear Sir:--

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I am directed by the Board of Fire Commissioners to respect-