

File No. 9680 Continued.

CORRESPONDENCE.

SECTION 2. AND BE IT FURTHER ORDAINED, That the sum of Nine Thousand Dollars (\$9,000) be, and the same is hereby, appropriated annually, during the continuance of this contract, for the purpose herein recited, and the said sum is to be provided for in the annual tax levy beginning with the levy of the year 1909.

Approved February 1, 1909.

J. Barry Mahool,
Mayor.

File No. 9680.

OPINION.

LAW DEPARTMENT.

Baltimore, March 8, 1909.

Hon. Edgar Allan Poe,
City Solicitor.

Dear Sir:

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Replying to your inquiry of March 3rd, as to the right of the Playgrounds Association to apply to the maintenance of the kindergartens any portion of the fund appropriated for the maintenance of playgrounds, I beg to reply as follows:

By the provisions of the contract made between the City and the Playgrounds Association, it is agreed that the latter will maintain not less than twenty-four children's playgrounds in the public parks, squares and school house yards of Baltimore City, the locations of such playgrounds to be selected by the said Association, subject to the approval of the Mayor.

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It seems to me that such language contemplates an institution to afford children a place to play, and should be clearly distinguished from the schools, which, of course, are maintained under an entirely separate department.

I should say that, if the intention of the Playgrounds Association is to establish kindergartens, by which is meant institutions for the education of very young children, no part of the fund referred to would be legally applicable to such purpose.

Yours very truly,
(Signed) W. H. DeC. Wright,
Assistant City Solicitor.