

File No. 25386 continued.

distinct and that no appropriation for one purpose shall be used for another, it is clear that the Board of Estimates has no power to authorize the taking of money provided for new improvements and using it for repairs, and the Comptroller would be violating his duty to allow the money to be so used even if the Board of Estimates did attempt to authorize it. The Board of Estimates is wisely given large powers by the Charter but it has no power to authorize a violation of any of the provisions of the Charter.

Very truly yours,  
 (Signed) S. S. Field,  
 City Solicitor.

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File No. 22200

Baltimore, September 29, 1919.

To the Honorable Board of Estimates,  
 Howard Bryant, Esq., President.

Dear Sir:

I have a letter from the Board of September 26th, in which I am asked to determine the City's right to remove the projections beyond the building line of the old Y. M. C. A. Building at the corner of Charles and Saratoga streets.

In my judgment the City clearly has the right and power to require the removal of any projections beyond the building line into any public highway in Baltimore in the exercise of the police power explicitly given it by the Charter, page 25, whenever in the judgment of the City Council, the whole width of a street or sidewalk is needed for the purpose of public travel.