

File No. 25618

Baltimore, November 15, 1919.

Hon. Peter E. Tome,
Comptroller.

Dear Mr. Tome:

13461

I have your letter of the 14th instant, inquiring with reference to the right of the Board of Estimates to appropriate the balance of \$351,255.42 of the Burnt District 1960 Loan, enabled by Chapter 247 of the Acts of 1908 (page 649), and authorized by Ordinance No. 391, approved October 15th, 1909.

The Burnt District was created by Chapter 87 of the Acts of 1904. On May 27th, 1904 (Ordinance No. 94, approved June 16th, 1904), a report was made to the Board of Estimates, submitting a map showing property to be acquired for dock improvements, and an appropriation was made to which was added the purchase price of the Western Maryland R. R. by the Fuller syndicate. It was subsequently found that the funds thus made available were not sufficient to perfect the balance of the plans of the Burnt District Commission and an additional loan of \$1,000,000 was authorized by Chapter 247 of the Acts of 1908. This Act provides that,

"the money shall be used for supplying additional means for the construction and completion of the docks and piers planed by the Burnt District Commission created by Chapter 87 of the Acts of 1904."

As I understand it, the balance to which you refer to wit: \$351,255.42, is available from this particular loan. It cannot, therefore, in my opinion, be used except for the development of the plans submitted by this Commission.

Respectfully yours,
(Signed) Roland R. Marchant,
City Solicitor.

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