

File No. 36404 Continued

of Estimates, desires to appropriate a sum equal to the proceeds of the sale of the school property above referred to, and such appropriation is approved by the Mayor and City Council, along with the other items in the annual ordinance of Estimates, I think that such appropriation would be valid, and that the Public Improvement Commission would have authority to expend the money for the purpose for which the appropriation was made. This procedure would, of course, be similar to that which has been adopted with reference to the Paving Commission it receiving appropriations from new loan funds and from the tax levy long after the original loan, which it was created to expend, was exhausted.

Without an appropriation in the annual Ordinance of Estimates, however, there is no way for the proceeds from the sale of old school property to be used by the Public Improvement Commission. We are not dealing with the sale of property previously purchased by the Commission out of its funds.

Very truly yours,
(Signed) Philip B. Perlman,
City Solicitor.

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File No. 36404

Baltimore, December 11, 1924.

Dr. C. Hampson Jones,
Commissioner of Health,
City Hall,
Baltimore, Maryland.

Dear Dr. Jones:

I have your favor of November 28th, in which you request that I advise you if the City has authority to enter upon private property to install sanitary sewerage system upon a notice from you that a nuisance exists dangerous to health, caused by overflowing privy wells and

14007