

FILE NO. 74708

April 10, 1942

F. Murray Benson, Esq.
City Solicitor

Dear Mr. Benson:

I beg to report upon the request of the Baltimore News-Post for a refund of one-half of the Minor Privilege charges for the year 1942 paid for 800 newspaper vending machines charged at the rate of \$1.50 each, said newspaper vending machines having been removed prior to June 12, 1942. The request for the refund was contained in a letter dated July 22, 1942, to the Board of Estimates, signed by Albert Sklar, Attorney for the Baltimore News-Post, which letter on July 28th, 1942, was referred to you for report.

The file contains a letter addressed to Mr. Charles E. Bichy, Deputy City Collector, by John L. Smith, Chief of the Minor Privilege Bureau, stating that he has made a personal inspection of the various locations of the newspaper vending machines and can state of his own knowledge that they were all removed before June 12, 1942.

I find that the Board of Estimates on June 30, 1925, approved a suggestion by Mr. H. W. Johanning, then Chief of the Minor Privilege Bureau, that the Bureau of Minor Privileges sell to the Baltimore News Company tags then in use for bread boxes under a blanket permit, which would avoid the necessity for an individual application in each case, the tags to cost \$1.50 each per annum.

The Board of Estimates acted under the powers conferred upon it in Section 47 of the Charter of Baltimore City (1938 Edition), providing:

"that the right to use the streets, avenues, alleys or public property, by any person or body corporate for steps, porticoes, bay windows, bow windows, show windows, signs, columns, piers or other projections or structural ornaments of any character except so far as the same may be prohibited by law, and covered vaults . . . or any other private purpose not prohibited by laws and not being a franchise or right requiring a formal grant by