

the amounts fixed by the Board nor insert new items in the proposed ordinance. When said proposed ordinance, embracing said estimates, shall have been duly passed by the City Council and approved by the Mayor, it shall be known as the "Ordinance of Estimates for the year," and said several sums shall be and become appropriated, after the beginning of the next ensuing fiscal year, for the several purposes therein named, to be used by the City Council, departments, sub-departments, municipal officers not embraced in a department, and special commissions or boards therein named, and for no other purposes or uses whatever. The City Council shall not have the power, by any other or subsequent ordinance or resolution, to enlarge any item contained in said ordinance after the same is duly passed, nor shall the City Council, by any subsequent ordinance or otherwise, appropriate any sums of money to be used for the next ensuing fiscal year, for any of the purposes embraced in said Ordinance of Estimates. No appropriation provided for in said ordinance shall be diverted or used under any circumstances for any purpose than that named in said ordinance, nor shall the Comptroller draw any warrant for any of the items in said Ordinance of Estimates unless he has received said amounts and they are actually to the credit of the City Council and such department, sub-department, officers, commissioners, or boards. No temporary loan shall be authorized or made to pay any deficiency arising from a failure to realize sufficient income from revenue and taxation to meet the amounts provided in said Ordinance of Estimates but the City Council may temporarily borrow money for its use in anticipation of the receipts of taxes levied for any year. In case of any such deficiency there shall be a pro rata abatement of all appropriations, except those for the payment of State taxes and the principal and interest of the city debt, and such amounts as are fixed by law and contained in said ordinance; and in case of any surplus arising in any fiscal year by reason of an excess of income received from the estimated revenue over the expenditures for such year, the said surplus shall become a part of the annual revenue of the city, and shall be available for the general expenditures of the city for the next ensuing fiscal year.

Baltimore City v. Gorter, 93 Md. 1. *Skinner Dry Dock Co. v. Baltimore*, 96 Md. 37. *Callaway v. Baltimore City*, 99 Md. 315. *Brauer v. Refrigerating Co.*, 99 Md. 369.

Party obtaining judgment against the city cannot have mandamus to levy a special tax. Must wait until provision is made in the next Ordinance of Estimates. *Kinlein v. Baltimore*, 118 Md. 576.

The park fund under existing laws is to be applied to park purposes only, and to be expended and distributed for such purposes by the Board of Park Commissioners; and the fact that they had submitted estimates to the Board of Estimates, and spent no moneys not so approved by the Board of Estimates does not estop the Park Commissioners from claiming the right to an injunction to restrain the diversion of the park fund to other purposes.

Baltimore v. Williams, 124 Md. 502.

The legislature has the right by law to impose upon the city a portion of the expense of supporting the Public Service Commission. The Act involved in this case provided for a salary of \$3,000.00 to be paid by the State and an additional \$3,000.00 to be paid by the City of Baltimore.

Thrift v. Laird, 125 Md. 55.