

File No. 8841 Continued.

OPINION.

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consideration are not free from doubt. Inasmuch, however, as the establishment of a recreation pier would undoubtedly be supported by public sentiment, and is in the interest of public health, and the general welfare of the community, it seems to me that we would be justified in going ahead without express authority from the Legislature. If any objection should be raised the Legislature will be in session next January, and express authority from the Legislature can then be secured.

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In my opinion, however, the Park Board would have no authority to, itself, construct the pier, and pay for it out of any funds in its hands, but the work would have to be done by the City, and the cost defrayed out of the general revenues of the City.

As a practical solution of the difficulty, I would suggest that an appropriation be made in the Ordinance of Estimates for 1910, for carrying on the work, and that we then follow this up by an application to the Legislature the coming session for express legislation covering the precise point.

Very truly yours,

(Signed) Edgar Allan Poe,

City Solicitor.

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