

To the Honorable Board of Estimates (cont'd.)

The question is whether the Board of Estimates is empowered to authorize this purchase without advertising for bids as provided by Section 14 of the Baltimore City Charter.

Under Section 195-B of the City Charter it is provided:

"Patented articles * * * costing more than \$500. and for which there can be no competitive bidding shall be purchased by the City Purchasing Agent, as directed by the using authority subject to the approval of the Board of Estimates * * * ."

I advise that the proposed purchase in this case falls within the provisions above quoted, and that the Board of Estimates accordingly may authorize and approve the same.

Very truly yours,

(signed) R. E. L. MARSHALL

City Solicitor

HELM-H

September 23, 1935

Mr. Leon Small
Water Engineer
Municipal Office Building
Baltimore, Maryland

Dear Sir:-

Referring to questions discussed between us relative to water main extension deposit accounts, and particularly the right of depositors to demand refund of such deposits, I have examined the several types of agreements under which water main extensions have been made by the City and deposits therefor have been made by applicants for such extensions.

Where deposits have been made under agreement for refund dependent upon the erection, or construction, of a certain number of buildings along the line of such extensions and within a stated period of time -- five or ten years, and where such time has elapsed, the right of the applicant to further refund is terminated and the City is under no legal obligation to make further refund even though additional houses be constructed after the expiration of such time.