

File No. 100895

June 11, 1959

Mr. Philip Darling, Director  
Planning Commission  
400 Municipal Building  
Baltimore - 2, Maryland

Dear Mr. Darling:

On May 20, 1959, you requested an opinion of this office as to the disposition of any monetary proceeds which may be derived from the sale of the Walbrook and Fremont Street Branch Buildings of the Enoch Pratt Free Library.

Chapter 181 of the Laws of Maryland of 1882 authorized the City to accept the gift of Enoch Pratt, and to pay annually the sum of Fifty Thousand Dollars (\$50,000) to the Board of Trustees of the Enoch Pratt Free Library of Baltimore City which is to be used "for the purchase and maintenance of the said Library, with not less than four branches in different parts of the city, said branches to be established by said trustees within such time as can be reasonably accomplished \* \* \* , the title to said library, its branches, books and all other property to be vested in the Mayor and City Council of Baltimore, the control and management of the said Library and other property to be in said Board of Trustees." (Preamble, Secs. 1, 2 and 4).

Ordinance No. 106, approved July 15, 1882, which in turn was favorably voted on by the people of Baltimore City, on or about October 25, 1882, accepted the aforementioned gift on behalf of the City upon the terms and conditions set forth in said Chapter 181. (Preamble, Secs. 1 and 2).

The transaction hereinbefore mentioned was executed by an Indenture dated July 2, 1883, between Mr. and Mrs. Pratt, The Enoch Pratt Free Library of Baltimore City and the Mayor and City Council of Baltimore. A portion of this Indenture provides that the Mayor and City Council of Baltimore and "The Enoch Pratt Free Library of Baltimore City" may by joint deed sell and convey the real estate conveyed, or any real or leasehold estate which may hereafter be vested in the said Mayor and City Council of Baltimore for the pur-