

To the Honorable, the President and members of the City Council (continued)

"to have and exercise within the limits of Baltimore City all the power commonly known as the Police Power to the same extent as the State has or could exercise said power within said limits; provided, however, that no ordinance of the City or act of any municipal officer shall conflict, impede, obstruct, hinder or interfere with the powers of the Police Commissioner."

The Police Power is very broad in scope and has been defined by the courts and text writers in various ways. McQuillin in the 3rd Edition of his treatise on Municipal Corporations, at page 471 of Volume 6, states that "police power" means the " * * * general power of government to preserve and promote public health, safety, morals, comfort or general welfare, even at the expense of private rights * * *."

The Supreme Court of the United States in Louisville & N.R. Co. v. Kentucky, 161 U.S. 677, 701, 40 L.Ed. 849, 16 S.Ct. 714, stated that "whatever is contrary to public policy or inimical to the public interest is subject to the police power of the state and within legislative control."

The Maryland Court of Appeals has had before it many cases in which the question of the limits of police power has been raised.

In Davis v. State, 183 Md. 386, the constitutionality of a statute regulating advertisement by physicians was questioned. The court in defining police power stated, at page 397:

"The police power is broad in scope, and the Legislature is vested with large discretion to determine not only what is injurious to the health, morals or welfare of the people, but also what measures are necessary or appropriate for the protection of those interests. The exercise of the police power may inconvenience individual citizens, increase their labor, or decrease the value of their property. The courts will not interfere with the exercise of the power except where the regulations are