

To the Honorable, the President
and Members of the City Council

(continued)

year preceding the sale was questioned, the Court stated:

"The principle involved in these decisions is that where the legislative action is arbitrary and has no reasonable relation to a purpose which it is competent for a government to effect, the legislature transcends the limits of its power in interfering with liberty of contract, but where there is a reasonable relation to an object within the governmental authority, the exercise of the legislative discretion is not subject to judicial review."

A similar question also was discussed in Brown v. State, 177 Md. 321. There the question related to taxation and the court again affirmed the authority of the City Council to exercise its legislative discretion.

Assuming that the facts involved in this matter justify the proposed change of hours, and such change is neither arbitrary or unreasonable, it appears that the provisions of the proposed ordinance are valid.

Very truly yours,

/s/

FRANCIS B. BURCH
City Solicitor

/s/

MORTON L. GOLDNER
Assistant City Solicitor

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