

The corporations, as cities, towns, &c., are said to be created by the Government for political purposes connected with its administration, and consequently can be changed or modified at the option of the Legislature the power that created them; this doctrine is clearly set forth and established by the decision of the Court of Appeals, in the case of the State use of Washington county, against the Baltimore and Ohio Rail Road Company, in 12 Gill and Johnson's Reports, 438 to 440. Chancellor Kent in his 2d volume of Commentaries, declaring that "public corporations are such as are created by the Government for political purposes, as counties, cities, towns, and villages, and the whole interest in them belongs to the public." The Court of Appeals of our State in 9 Gill and Johnson's Report; said public corporations are to be governed according to the laws of the land, and the government has the sole right as trustees of the public interest, to inspect, regulate, control and direct, the corporation, its powers and franchises.

In the case of the Mayor of Baltimore, against the State and Charles Howard and others, police commissioners, in 15 Maryland Reports, Judge Martin in the Superior Court of Baltimore city, referred to and adopted the principle as settled in 12 Gill and Johnson, 438, and brings to his aid the decision of the Supreme Court of the United States, in 3d Howard's Reports, in the case of Washington county, against the Baltimore and Ohio Rail Road, and the language of Judge Taney, who in the delivery of the opinion of the court, said of public corporations: "but like similar corporations in every county in the State, it is created for the purpose of government, and clothed with certain defined and limited powers to enable it to perform those public duties which according to the law and usage of the State, are always entrusted to local county tribunals; but however chosen, their powers and duties depend on the will of the Legislature, and are modified and changed, and the manner of their appointments regulated at the pleasure of the State.

In the case referred to in 15 Maryland Reports, the Court of Appeals have given their sanction to the law as thus expounded. The next inquiry to which the attention of your Committee was directed, was in reference to the power of the City Council to appropriate the funds of the city to controvert an act of the Legislature, possessing the powers heretofore stated, as absolute and supreme.

By the charter, the City Council are authorized to make ordinances to apply to inspections, licensing certain persons as Pawn Brokers, &c., all having a legitimate relation to the good government of the city, and to its internal police and interests, all germane to the design and objects of the corporation, but your Committee have not been able to discover any