

in this sub-division of this Charter shall be so construed as to render the City of Baltimore, or any of its officers, liable in damage or otherwise to any person or persons, or corporations, for any omissions to pass any ordinance, regulation or resolution pursuant to the provisions hereof, or for a failure to enforce the same.

Classen v. Chesapeake, 81 Md. 258. M. & C. C. of Balto. v. St. Agnes' Hospital, 48 Md. 419. Harrison v. Sterrett, 4 H. & McH. 540. Girauds' Lessee v. Hughes, 1 G. & J. 249. Dugan v. Mayor, 5 G. & J. 357. Bernard v. Torrence, 5 G. & J. 394. Wilson v. Inloes, 11 G. & J. 351. Casey's Lessee v. Inloes, 1 Gill, 430. Mayor, &c., v. White, 2 Gill, 444. The wharf case, 3 Bland, 361. Baltimore v. McKim, 3 Bland, 453. Hammond's Lessee v. Inloes, 4 Md. 138. Patterson v. Gelston, 23 Md. 443. Broadway, &c. Co. v. Hankey, 31 Md. 346. Page v. Mayor, 34 Md. 558. Garrittee v. Mayor, 53 Md. 422. McMurray v. Mayor, 54 Md. 103.

Actional negligence cannot be imputed to the city for mistake of judgment, or even negligence, of its officers in performing governmental function of selecting a place for the loading of explosives, from which it derives no profit.

Foard Co. et al. v. State of Md., &c., 219 Fed. Rept. 827.

The one subject of an act being the charter powers and obligations of the city, an act repealing and re-enacting several sections of the City Charter is not invalid under Section 29 of Article 3 of the State Constitution.

Foard Co. et al. v. State of Md., 219 Fed. Rept. 827.

City may condemn property for improvement of harbor.

Marchant v. Balto., 146 Md. 513.

Loading explosives; liability of City.

Gutowski v. M. & C. C., 127 Md. 502.

(9) HEALTH.

P. L. L. (1860), Art. 4, sec 797. 1886, ch. 396. 1890, ch. 509.

P. L. L. (1888), Art. 4, secs. 378 and 400.

To preserve the health of the City. To prevent and remove nuisances. To prevent the introduction of contagious diseases within the city, and within three miles of the same upon land, and within fifteen miles thereof upon the navigable waters leading thereto. To regulate the places of manufacturing soap and candles, the erection of slaughter houses and distilleries, and where every other offensive trade may be carried on. To regulate the construction, care, use and management of tenement houses, lodging houses and cellars in the City of Baltimore, for the better protection of the lives and health of the inmates dwelling therein.

Harrison v. Mayor, &c., 1 Gill, 264. Mayor v. Brannan, 14 Md. 227. N. C. Ry. Co. v. Baltimore, 21 Md. 105. Altwater v. Baltimore, 31 Md. 466. Mayor, &c. v. Radecke, 49 Md. 217. Boehm v. Mayor, &c.; 61 Md. 259. State v. Mott, 61 Md. 297. Deems v. Mayor & C. C. of Balto., 80 Md. 170. Cochrane v. Frostburg, 81 Md. 54. Hagerstown v. Witmer, 86 Md. 293. Balto. v. Fairfield Improvement Company, 87 Md. 352. Spann v. Gaither, 152 Md. 5. Stove & Range Co. v. Balto., 153 Md. 247.

Decisions Defining the Powers of a Municipal Corporation in Relation to Public Health, Safety and Similar Police Powers.

HEALTH ORDINANCES.

Power of Municipal Corporation to pass same. It is not for Courts of Justice to say that a given enactment passed by the Legislature in virtue of the police power, and having a direct relation to it is void for unreasonableness; but whenever power has been delegated by the Legislature to a municipal corporation to adopt and promulgate ordinances for the protection of the public health, morals or safety, the reasonableness of the measures enacted by the municipality is a feature to which the courts look to see whether the measure is within the power granted.

State v. Hyman, 98 Md. 618.