

Mr. P. W. Wilkinson, Secretary, Board of Fire Commissioners (cont'd)

While the Act empowers the Insurance Commissioner to grant permits for display of fireworks in places where the discharge will otherwise be legal, it also specifically states that the holder of any such permit shall not be relieved from also obtaining any additional license or authority which may be required by the governing body in the locality where the display is to be given.

Article XI-A of the Constitution of Maryland, known as the Home Rule Amendment, was adopted by the vote of the people of the State in November, 1915, pursuant to the provisions of Chapter 416 of the Acts of the General Assembly of Maryland of 1914. Insofar as this discussion is concerned, we are interested only in portions of Section 3 and Section 4 of said Article, which are:

"Sec. 3. . . . From and after the adoption of a charter by the City of Baltimore . . . , the Mayor of Baltimore and City Council of the City of Baltimore . . . , subject to the Constitution and Public General Laws of this State, shall have full power to enact local laws of said City . . . including the power to repeal or amend local laws of said city . . . enacted by the General Assembly, upon all matters covered by the express powers granted as above provided; . . . All such local laws enacted by the Mayor of Baltimore and City Council of the City of Baltimore . . . as hereinbefore provided, shall be subject to the same rules of interpretation as those now applicable to the Public Local Laws of this State, except that in case of any conflict between said Local Law and any Public General Law now or hereafter enacted the Public General Law shall control."

"Sec. 4. From and after the adoption of a charter under the provisions of this Article by the City of Baltimore . . . , no public local law shall be enacted by the General Assembly for said City . . . on any subject covered by express powers granted as above provided. Any law so drawn as to apply to two or more of the geographical sub-divisions of this State, shall not be deemed a Local Law within the meaning of this Act. The term "geographical sub-division" herein used shall be taken to mean the City of Baltimore or any of the Counties of this State."

In the case of Morris vs. Baltimore, 172 Md. 667, 681, the Court of Appeals of Maryland stated:

"While it is difficult to formulate a comprehensive definition of the distinction between a public local law and a public