

Sec. 48.

The charter of the Baltimore and Ohio Railroad (act of 1826, chapter 123) constitutes a contract between the railroad and the state; the tax exemption conferred by section 18 may not therefore be repealed. The insertion in a mortgage executed by a railroad company of the covenant that it would pay certain taxes does not bring that railroad within the terms of the last portion of this section, since the acts relating to the taxation of mortgages do not apply to mortgages executed by a railroad company to a trustee to secure bonds sold to investors. The sale by the state of its interest in the Washington Branch of the B. & O., held not to be the granting of any privilege or right within the contemplation of the last portion of this section. The acceptance by the B. & O. of rights under certain ordinances of the mayor and city council of Baltimore, amounting to police regulations of the laying of tracks and switches, is not such an acceptance of rights and privileges as brings the B. & O. within the last portion of this section. The constitutions of 1851 and 1867 do not deny to the state all power to enter into an irrevocable contract with a corporation. *State v. B. & O. R. R. Co.*, 127 Md. 437.

The portion of this section providing that charters may be altered or repealed, held not intended to confer upon the general assembly the power to deprive the citizen of his property contrary to law, or to take private property for public use without just compensation; this provision must be so construed as to harmonize and preserve the general constitutional restraints upon legislation in regard to private property. Act of 1914, chapter 37, requiring the United Railways to pay for repaving the streets between and for two feet on either side of its tracks, held void; the street railway company may not be so assessed where no special benefit is conferred upon it by the improvement. *United R. & E. Co. v. Baltimore*, 127 Md. 664.

Acts incorporating municipal corporations may be made binding upon those within the limits, without consent, or only upon consent, as the legislature determines; over such corporation the legislature, except as restrained by the constitution, has entire control. This section leaves to the legislature the enactment of such details as it deems proper in the management of a municipal corporation. The legislature held to have the right, in incorporating the town of Bowle, to name the commissioners. *Johnson v. Luers*, 129 Md. 530.

This section prohibits the legislature from granting a charter for which the general laws provide. *Hagerstown Turnpike Co. v. Evers*, 130 Md. 12.

Sec. 52. The General Assembly shall appropriate no money out of the Treasury for payment of any private claim against the State exceeding three hundred dollars, unless said claim shall have been first presented to the Comptroller of the Treasury, together with the proofs upon which the same is founded, and reported upon by him.

[Sec. 52. The General Assembly shall not appropriate any money out of the Treasury except in accordance with the following provisions:

Sub-Section A:

Every appropriation bill shall be either a Budget Bill, or a Supplementary Appropriation Bill, as hereinafter mentioned.

Sub-Section B:

First. Within twenty days after the convening of the General Assembly (except in the case of a newly elected Governor, and then within thirty days after his inauguration), unless such time shall be extended by the General Assembly for the session at which the Budget is to be submitted, the Governor shall submit to the General Assembly