

Baltimore city charter adopted under this article, upheld. Provision of this article as to the newspapers in which the charter was to be published not so far mandatory as to render the charter after its adoption subject to attack on that ground, in the absence of proof that the failure to comply strictly with the constitutional provision affected the vote on the adoption of the charter. Charter held to have been submitted to the *qualified* voters of the city. Amendment of the charter held not to be in excess of the power conferred by this article. Taxation of property in section annexed to Baltimore city by act of 1888. *Williams v. Broening*, 135 Md. 229; *Jones v. Broening*, 135 Md. 239.

Extract from answer of Baltimore city to suit for refund under the act of 1920, ch. 431, of unused liquor license, relying upon this article, quoted. *Engel v. Baltimore*, 140 Md. 288.

Intent and scope of this article not involved—see notes to art. 27, sec. 560. *Levering v. Supervisors of Elections*, 137 Md. 290.

This article referred to in overruling contention that Ordinance of Estimates changing salary fixed by School Board superseded action of board; Charter of Baltimore City may be amended only as outlined in sec. 5 of this article. See notes to art. 77, sec. 182, of Code. *Graham v. Joyce*, 151 Md. 307.

This article does not authorize City of Baltimore to repeal law authorizing Governor to appoint auctioneers in said city and that they shall pay license fees, etc., to State. What is a "local" law. *Gaither v. Jackson*, 147 Md. 656.

See notes to art. 4, sec. 39, of Constitution.

Ch. 287, 1931, conferring authority on Baltimore City to take referendum vote on ordinance regulating Sunday observance is valid even if not clothed in the form of an addition to Charter powers. *Ness v. Baltimore*, 162 Md. 529.

Ch. 702 of 1927, authorizing Commissioners of Montgomery County to license and regulate graveyards not contrary to this article, since county had not adopted county charter. *Gordon v. Montgomery County*, 164 Md. 215.

Art. 88A, secs. 21-31 (Mothers' Relief) are not in violation of this article. *Baltimore v. Fuget*, 164 Md. 340.

The assessment of property in Baltimore City for State taxation is not a proper subject of legislation by the city under the provisions of this article. *Denhard v. Baltimore*, 167 Md. 419.

Cited but not construed in *Billig v. State*, 157 Md. 191.

Ch. 94, 1937, relating to purchase of voting machines in Baltimore City, is not "local" law within meaning of this Article. *Norris v. Baltimore*, 172 Md. 682.

See art. 25A, An. Code.

Sec. 2. The General Assembly at its first session after the adoption of this amendment shall by public general law provide a grant of express powers for such County or Counties as may thereafter form a charter under the provisions of this Article. Such express powers granted to the Counties and the powers heretofore granted to the City of Baltimore, as set forth in Article 4, Section 6, Public Local Laws of Maryland, shall not be enlarged or extended by any charter formed under the provisions of this Article, but such powers may be extended, modified, amended or repealed by the General Assembly.

Idea that City of Baltimore stands in place of and has all power that Legislature could exercise in Baltimore City negated by this section. Nothing in Charter of Baltimore authorizes it to delegate or transfer legislative powers delegated to it to any other agency. See notes to art. 23, Declaration of Rights. *Tighe v. Osborne*, 149 Md. 360.

Art. 56, sec. 210, 1924 Code, void under this article. *State v. Stewart*, 152 Md. 420.

See notes to sec. 1.

Sec. 3. Every charter so formed shall provide for an elective legislative body in which shall be vested the law-making power of said City or County. Such legislative body in the City of Baltimore shall be known as the City Council of the City of Baltimore, and in any County shall be known as the County Council of the County. The chief executive officer, if any such charter shall provide for the election of such executive officer, or the presiding officer of said legislative body, if such charter shall not provide for the election of a chief executive officer, shall be known in the City of Baltimore as Mayor of Baltimore, and in any County as the President of the County Council of the County, and all references in the Constitution and laws of this State to the Mayor of Baltimore and City Council of the City