

This section referred to in construing art. 15 of the Declaration of Rights—see notes thereto. *State v. C. & P. R. R. Co.*, 40 Md. 53 (dissenting opinion).

See notes to secs. 28 and 30.

Sec. 28. No bill shall become a law unless it be passed in each House by a majority of the whole number of members elected, and on its final passage the yeas and nays be recorded; nor shall any resolution requiring the action of both Houses be passed except in the same manner.

This section is mandatory. The yeas and nays should be entered on the journals; query as to whether they *must* be. Act of 1922, ch. 383 providing for a Washington county school bond issue, held not to have been validly passed by the legislature. Authorities reviewed. *Washington County v. Baker*, 141 Md. 627.

The concluding words of an act held not to be nugatory as an attempt to re-enact a prior act in violation of this section; it is not to be presumed that the legislature intended to do an unconstitutional thing. *Temnick v. Owings*, 70 Md. 251.

This section referred to in construing art. 15 of the Declaration of Rights—see notes thereto. *State v. C. & P. R. R. Co.*, 40 Md. 53 (dissenting opinion).

Cited but not construed in *Dunn v. Brager*, 116 Md. 245.

Objection to validity of Ch. 390, Acts of 1935, on ground that House Journal does not show yeas and nays on final passage, cannot be raised in Court of Appeals; legislative journals are not subjects of judicial notice but must be proved as other facts are proved. *Miggins v. State*, 170 Md. 459.

See notes to secs. 27 and 30.

Sec. 29. The style of all laws of this State shall be, "Be it enacted by the General Assembly of Maryland," and all laws shall be passed by original bill; and every law enacted by the General Assembly shall embrace but one subject, and that shall be described in its title; and no law, or section of law, shall be revived or amended by reference to its title or section only; nor shall any law be construed by reason of its title to grant powers or confer rights which are not expressly contained in the body of the Act; and it shall be the duty of the General Assembly, in amending any article or section of the Code of Laws of this State, to enact the same as the said article or section would read when amended. And whenever the General Assembly shall enact any Public General Law, not amendatory of any section or article in the said Code, it shall be the duty of the General Assembly to enact the same, in articles and sections, in the same manner as the Code is arranged, and to provide for the publication of all additions and alterations which may be made to the said Code.

#### **Titles held sufficient:**

##### *Acts relating to corporations.*

Title of act of 1900, ch. 307, changing the name of the Potomac and Severn Electric Railway Company, granting certain additional powers thereto and confirming certain franchises thereof, held sufficient. Cases involving an alleged violation of the portion of this section relative to the title of an act, reviewed and summarized. *Jeffers v. Annapolis*, 107 Md. 268.

Title of act of 1892, ch. 469, amending the charter of the Writing Telegraph Company of Baltimore city, held sufficient. *Brown v. Md. Telephone Co.*, 101 Md. 579.

Title of act of 1890, ch. 263, changing the name of the Fidelity and Deposit Company of Maryland and amending and defining its powers, held sufficient. *Gans v. Carter*, 77 Md. 10.

Title of act of 1898, ch. 17, changing the name of the Sheppard Asylum, held sufficient. Strictly speaking, the preamble is no part of the statute; hence, even if the preamble should be out of harmony with the body of the act, the title is not thereby rendered defective. *Phinney v. Sheppard Hospital*, 89 Md. 635.

Title of act of 1874, ch. 233, which is "An Act to Establish The Maryland House of Correction," held sufficient, since this section is liberally construed. The title need not set out the details contained in the sections of the act. Moreover, the sections of the act of 1874 were adopted and confirmed by the act adopting the Code of 1888. *Bond v. State*, 78 Md. 525.

Clauses in act of 1880, chs. 431 and 432, making appropriations to the Maryland Agricultural College, held not to be so foreign to the subject of the acts as to violate the provision of this section dealing with the title of an act. *Maryland Agricultural College v. Keating*, 58 Md. 583.