

Sec. 2.

Idea that City of Baltimore stands in place of and has all power that Legislature could exercise in Baltimore City negatived 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, Code, void under this article. *State v. Stewart*, 152 Md. 420.

Sec. 4.

This section referred to in construing art. 60, sec. 3—see notes thereto. *West v. Musgrave*, 154 Md. 43.

See notes to sec. 2.

Sec. 5.

See notes to sec. 1.

 ARTICLE XV.

MISCELLANEOUS.

Sec. 1.

See notes to art. 3, sec. 52, of Constitution.

Sec. 5.

In view of this section, motion of traverser's counsel to strike out evidence cannot be entertained in criminal cases. Court only determines admissibility of testimony and competency of witnesses. *Rasin v. State*, 153 Md. 435.

In view of this section, legal sufficiency of testimony to sustain indictment may not be submitted to trial court as question of law; admissibility of evidence is for court. *Delbert v. State*, 150 Md. 695.

While in view of this section court cannot give binding instructions in criminal cases, advisory instructions may be given; this practice long sanctioned in Maryland. *Klein v. State*, 151 Md. 489.

No distinction under this section between motion in arrest of judgment and motion to strike out verdict and judgment. This section applied. *Willis v. State*, 153 Md. 617.

This section referred to in holding comment of court in criminal case, prejudicial error. *Newton v. State*, 147 Md. 87.

Sec. 6.

Art. 16, sec. 246, of Code, not invalid under this section—see notes thereto. *Balto. Process Co. v. My-Coca Co.*, 144 Md. 445.

 ARTICLE XVI.

THE REFERENDUM.

Sec. 1.

As this article does not apply to Public Local Laws affecting political subdivisions of State other than Baltimore City or a county, provision of act 1924 ch. 529 (creating Metropolitan District of Baltimore County), making it effective from date of its passage, not invalid under this article. This article qualifies art. 3, sec. 31, of Constitution; latter applicable. Declaration that act is emergency measure nugatory if act not within terms of this article. Whole