

File No. 14133 Continued.

of such annual pension to be allowed by said Board of Fire Commissioners to each pensioner shall be equal to one half the yearly amount then being received by him, for service in said department at the time of such retirement, per annum, payable in monthly instalments."

Is that a general law within the meaning of Section 33 of Article 3 of the Constitution?

"A law may be of a general nature notwithstanding its subject matter is of a local nature, its general nature being alone due to its territorial comprehensiveness".

Words and Phrases, page 3065.

"If the only limitation contained in a law is a legitimate classification of its objects, it is a general law. Hence if the object of a law has characteristics so distinct as reasonably to form for the purpose legislated upon a class by itself, the law is general, notwithstanding it operates upon a single object only; for a law is not general because it operates upon every person in the State, but because every person that can be brought within its predicament becomes subject to its operation".

Budd v. Hancock, 66 N. J. L. 133.

In passing upon the validity of Chapter 411, Acts of 1868 - a Road Law for Baltimore County, the Court of Appeals said:

"Local laws of the class to which the Act under consideration belongs \*\*\*\* are applicable to all persons, and are distinguished from Public General Laws only in that they are confined in their operation to certain prescribed or defined territorial limits, and the violation of them must, in the nature of things, be local. It is not, therefore, by any means necessary in order to give a statute the attributes of a public law, that it should be equally applicable to all parts of the State. All that is required to make it a public law of general obligation, is that it shall apply to all persons within the territorial limits prescribed in the Act".

State v. Co. Comm., 29 Md. 520.

This is the leading case on the subject and has been cited with approval in all of the late cases. It seems to follow that Section 70, above referred to, is a general law within the meaning of the constitutional provision under consideration.

That Section taken together with Section 6, page 50 Charter (1906 Code) certainly made "provisions" for the case of Mr. Ledden. A consideration of Section 59 of Article 3 of the Constitution, which abolished the office of State Pension Commission and prohibits the Legislature from passing a law creating such an office or establishing any general pension system, only further shows the Constitutional intention to avoid and prevent the abuse incident to special pension legislation.