

wife, held not to be an *ex post facto* law, although it was applicable by its terms to cases instituted before the passage of said act—see notes to art. 16, secs. 40 and 41. *Elliott v. Elliott*, 38 Md. 362. And see *Baughner v. Nelson*, 9 Gill, 299; *State v. Norwood*, 12 Md. 206.

The legislature may release a penalty or forfeiture created by act of assembly for the benefit of a particular county, such releasing act is not an *ex post facto* law. *State v. B. & O. R. R. Co.*, 12 G. & J. 435.

#### Generally.

The legislature may not change a rule of law so as to give it a retroactive operation, since this would be to take property of one man and give it to another; the legislature may however alter and remodel rules of evidence and remedies. *Thistle v. Frostburg Coal Co.*, 10 Md. 144. And see *Baughner v. Nelson*, 9 Gill, 303; *Wilderman v. Baltimore*, 8 Md. 556.

A repealing ordinance cannot destroy or affect any right which was acquired under a prior ordinance before its repeal. *McMechan v. Baltimore*, 2 H. & J. 45.

The legislature may have the power by a retrospective statute to cure mere defects and irregularities in legal proceedings, but not to make a decree or judgment rendered without jurisdiction, valid and binding. *Willis v. Hodson*, 79 Md. 331.

The act of 1860, ch. 271, validating all marriages theretofore celebrated between persons related within certain degrees, held not to violate this article. This article does not prohibit retrospective laws in civil cases. *Harrison v. State*, 22 Md. 491. *Cf. Grove v. Todd*, 41 Md. 644.

Where a deed is defectively acknowledged, and subsequently a curative act is passed, but prior to such passage the grantor dies and his widow's dower thereby vests, the curative act does not bar her dower; the deed is valid, however, as to the grantor and his heirs. The legislature may, in proper cases, by retroactive legislation, cure or confirm conveyances or other proceedings defectively acknowledged or executed; such legislation is sustainable because it is supposed not to operate upon the deed or contract, but upon the mode of proof only. *Grove v. Todd*, 41 Md. 638.

The act of 1890, ch. 187, validating sales made under powers in mortgages between 1860 and 1878 as if the person making the sale had been named in the mortgage and whether such person was a natural person or a corporation, held to operate retrospectively and to apply to a case pending at the date of the passage of said act. *Madigan v. Workmen's Assn.*, 73 Md. 320.

The registry act of 1865, ch. 174, disfranchising Confederate soldiers and providing a test oath, held not to be *ex post facto*. The term "*ex post facto*" defined and limited. *Anderson v. Baker*, 23 Md. 604, 584 and 565.

Art. 18. That no law to attain particular persons of treason or felony, ought to be made in any case, or at any time, hereafter.

The registry act of 1865, ch. 174, disfranchising Confederate soldiers and providing a test oath, held not to be a bill of attainder—see note to art. 1, sec. 1, of the Constitution. *Anderson v. Baker*, 23 Md. 604.

Art. 19. That every man, for any injury done to him in his person or property ought to have remedy by the course of the Law of the Land and ought to have justice and right, freely without sale, fully without any denial, and speedily without delay, according to Law of the Land.

Nothing in this article prevents a court from adopting rules requiring the trial of cases within a reasonable time. This article referred to in upholding a rule of the circuit court for Howard county relative to the *stet* docket. *Laurel Canning Co. v. B. & O. R. R. Co.*, 115 Md. 642.

This article referred to in holding that the warden of Maryland penitentiary might be made a defendant in an ejection suit; the immunity of the state from suit does not prevent an action against state official wrongfully withholding property for state uses. *Weyler v. Gibson*, 110 Md. 653.

Private rights are amply secured by this article and art. 23. This article referred to in discussing the liability of a street railway company for the erection, by authority, of an elevated railway in the street. *Garrett v. Lake Roland R. R. Co.*, 79 Md. 290 (dissenting opinion).

The contention based upon this article that a judgment creditor may (in the absence of statute) execute upon the land upon which railroad tracks are laid, overruled. *McColgan v. Baltimore Belt R. Co.*, 85 Md. 522.

This article cited in dissenting opinion in *In re Rickell's Estate*, 158 Md. 665.

This article referred to in construing art. 3, sec. 40A of the Constitution. *Krebs v. State Roads Commission*, 160 Md. 584.

City ordinance permitting specified amusements, games, etc., and certain retail sales on Sunday does not involve such discriminations as to be in violation of the 14th Amendment to U. S. Constitution or of articles 19 and 23 of the Maryland Declaration of Rights. *Ness v. Baltimore*, 162 Md. 530.