

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

This article referred to in construing art. 4, sec. 37, of the Md. Constitution—see notes thereto. *Dowling v. Smith*, 9 Md. 268.

Ch. 373, Acts of 1935, licensing and regulating paper hangers in Baltimore City violates this Article and is therefore void. *Dasch v. Jackson*, 170 Md. 251.

Cited but not construed in *Alleghany Corp. v. Aldebaran Corp.*, 173 Md. 475.

This Article referred to in construing Art. 54, Secs. 46-48 of Code. *Cahill v. Baltimore*, 173 Md. 458.

Ch. 371, Acts of 1935, regulating the occupation of barbering held invalid as being contrary to this Article. *Schneider v. Duer*, 170 Md. 326.

Cited in *Jacobs v. Baltimore*, 172 Md. 356.

Ch. 185, Acts of 1937, providing for transportation of children attending private or parochial schools in Baltimore County, does not violate this Article. Board of Education *v. Wheat*, 174 Md. 319.

Bill of Rights recognizes sacredness of rights of property; right to deal with property as owner chooses, so long as use harms no one, is natural right existing before Constitution. Portion of zoning ordinance attempting to regulate and restrict use of property in Baltimore City, void. Police power, nature of and limitations on. Residence zones. Meaning of "general welfare". *Goldman v. Crowther*, 147 Md. 287 (*cf. dissenting opinion*). And see *Tighe v. Osborne*, 149 Md. 358 (*cf. dissenting opinion*). *Cf. Tighe v. Osborne*, 150 Md. 455 (involving delegation of certain powers to Zoning Commissioner); *Construction Co. v. Jackson*, 152 Md. 671 (ordinance restricting extent of buildings and requiring side yard in outlying sections). See Code, art. 66B.

Right to use private property without limitation save that public safety, health or morals must not be imperiled, is a tangible property right within protection of this article. *Construction Co. v. Jackson*, 152 Md. 686 (*dissenting opinion*).

This article referred to in discussing meaning of term "citizen". See notes to art. 25, sec. 144, of Code. *Fitzwater v. Hydro-Elec. Corp.*, 149 Md. 467.

This article referred to in holding art. 56, sec. 159, of Code, constitutional—see notes thereto. *Grossfield v. Baughman*, 148 Md. 334.

See notes to art. 3, sec. 40, of Constitution.

This article referred to in construing art. 81, sec. 15. *Power Co. v. State Tax Commission*, 159 Md. 361.

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

Referred to in *Public Service Commission v. Gas, etc., Corp.*, 162 Md. 307.

Referred to in holding Art. 83, Secs. 102-110 valid. *Goldsmith v. Mead Johnson & Co.*, Daily Record, July 1, 1939.

This article referred to in construing art. 11, sec. 71G. *Ghingher v. Pearson*, 165 Md. 280, 303. (Sec. 71G has expired.)

This article referred to in sustaining validity of Chs. 56 and 57 of Special Session of 1933, modifying certain remedies of foreclosure of mortgages. *Mortgage Co. v. Matthews*, 167 Md. 389.

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

Cited but not construed in *Murphy v. State Roads Commission*, 159 Md. 12; *Tobacco Co. v. Goslin*, 163 Md. 79.

See notes to art. 19.

See art. 19 of the Declaration of Rights, art. 15 sec. 6, and art. 3, sec. 40, of the Md. Constitution, and notes thereto.

See notes to arts. 5 and 21 of the Declaration of Rights, and to art. 3, sec. 29, Md. Constitution, and to art. 56, secs. 279 and 280, art. 72, sec. 108, An. Code.

Art. 24. That slavery shall not be re-established in this State; but having been abolished, under the policy and authority of the United States, compensation, in consideration thereof, is due from the United States.

The word "slavery" as used in this section cannot be applied to a free negro apprenticed. *Brown v. State*, 23 Md. 507.

Art. 25. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted by the Courts of Law.

If a punishment is grossly and inordinately disproportionate to the offence, the judgment ought to be reversed, but *contra* where the discretion vested in the judge is exercised conscientiously. A sentence of fifteen years in jail for attempting to commit rape under circumstances of atrocity, does not violate this article. *Mitchell v. State*, 82 Md. 532.