

Sec. 55. The General Assembly shall pass no law suspending the privilege of the Writ of *Habeas Corpus*.

What constitutes the privilege of the writ—whether it be the right to it as defined by law at the adoption of the Constitution, or whether it be according to the pleasure of any subsequent legislature, however restricted that privilege might be—not passed on. *State v. Glenn*, 54 Md. 595.

See art. 42 of the An. Code and notes to art. 4, sec. 14 (Constitution).

Sec. 56. The General Assembly shall have power to pass all such Laws as may be necessary and proper for carrying into execution the powers vested by this Constitution, in any Department or office of the Government, and the duties imposed upon them thereby.

Although under the Constitution and existing laws, the Governor has *jurisdiction* to hear and decide the case of a contested election for the office of attorney-general, yet until the legislature clothed him with the authority and gave him the means and instrumentalities of exercising such jurisdiction as it was authorized to do by this section, the Governor had no power to examine and decide the questions raised by such contests. Implied powers denied. *Cull v. Whelple*, 114 Md. 86; *Groome v. Gwinn*, 43 Md. 572.

Sec. 57. The Legal rate of Interest shall be *six per cent. per annum*, unless otherwise provided by the General Assembly.

The legislature has no power by a special law to authorize a certain class of corporations to loan money at a higher rate of interest than is provided in this section and by the general law of the state. *Citizens Security Co. v. Uhler*, 48 Md. 459 (*cf.* dissenting opinion). And see *Birmingham v. Md. Homestead Assn.*, 45 Md. 543.

This section does not of itself make void in whole a contract calling for the payment of more than six per cent interest; it merely fixes the legal rate. It is for the legislature to make the contract void in whole or in part. How the Constitution should be construed. *Bandel v. Isaac*, 13 Md. 218 (based on the Constitution of 1851). And see *Scott v. Leary*, 34 Md. 389.

A borrower, since the act of 1845, ch. 352, may maintain his bill in equity, if filed in a reasonable time, for the relief against usury—see art. 49, sec. 4, of the An. Code and notes thereto. *Scott v. Leary*, 34 Md. 398.

Cited but not construed in *Baltimore v. State*, 15 Md. 468.

See art. 49 of the An. Code.

See notes to art. 23, sec. 129, of Code.

As to Petty Loans, see art. 58A.

Sec. 58. The Legislature, at its first session after the ratification of this Constitution, shall provide by Law for State and municipal taxation upon the revenues accruing from business done in the State by all foreign corporations.

Sec. 59. The office of "State Pension Commissioner" is hereby abolished; and the Legislature shall pass no law creating such office, or establishing any general pension system within this State.

See notes to sec. 30.

This section relates to military pensions and does not prohibit mothers' relief. *Baltimore v. Fuget*, 164 Md. 347.

Sec. 60. The General Assembly of Maryland shall have the power to provide by suitable general enactment (a) for the suspension of sentence by the court in criminal cases; (b) for any form of the indeterminate sentence in criminal cases, and (c) for the release upon parole in whatever manner the General Assembly may prescribe, of convicts imprisoned under sentence of crimes.<sup>1</sup>

This section referred to in construing art. 27, sec. 680, of Code—see notes thereto. *Kelly v. State*, 151 Md. 99.

<sup>1</sup> This section was added by act of 1914, ch. 453, ratified, November, 1915.