

shall not apply to pending cases nor in anywise affect the present rights of litigants therein.

*Neidig v. Whiteford*, 29 Md. 178. *Cooke v. Cooke*, 29 Md. 538. *Smith v. Wood*, 31 Md. 293. *Ward v. Leitch*, 31 Md. 326. *Schull v. Murray*, 32 Md. 9. *Carman v. Crook*, 32 Md. 486. *Billingslea v. Ward*, 33 Md. 48. *Johnson v. Heald*, 33 Md. 352. *McKaig v. Piatt*, 34 Md. 260. *Foley v. Bitter*, 34 Md. 646. *Denison v. Denison*, 35 Md. 381. *Miller v. Motter*, 35 Md. 432. *Jones v. Jones*, 36 Md. 457. *Downs v. Md. & Del. R. R. Co.*, 37 Md. 100. *Redgrave v. Redgrave*, 38 Md. 96. *Semmes v. Worthington*, 38 Md. 324. *Estep v. Morris*, 38 Md. 417. *Harris v. Pue*, 39 Md. 535. *Romer v. Jaecksch*, 39 Md. 585. *Mason v. Poulson*, 40 Md. 355. *Sanborn v. Lang*, 41 Md. 107. *Armitage v. Snowden*, 41 Md. 119. *Hammett v. Shanks*, 41 Md. 219. *Murray v. Cannon*, 41 Md. 475. *Spencer v. Trafford*, 42 Md. 17. *McKaig v. Hebb*, 42 Md. 231. *Mason v. Poulson*, 43 Md. 177. *Graves v. Spedden*, 46 Md. 538. *First Nat. Bank of Washington v. Eccleston*, 48 Md. 145. *Orendorf v. Utz*, 48 Md. 304. *Stanford v. Horwitz*, 49 Md. 525. *Wright v. Gilbert*, 51 Md. 155. *Hardy v. Chesapeake Bank*, 51 Md. 562. *Sangston v. Hack*, 52 Md. 201. *Bantz v. Bantz*, 52 Md. 686. *Simmons v. Hass*, 56 Md. 165. *Spencer v. Almoney*, 56 Md. 561. *Swartz v. Chickering*, 58 Md. 290. *Diffenbach v. Vogeler*, 60 Md. 379. *Dilley v. Love*, 61 Md. 607. *Trayhern v. Colburn*, 63 Md. 105. *Horner v. Frazier*, 65 Md. 10. *Neale v. Hermanns*, 65 Md. 476. *Grand United Order of Odd Fellows Joint Stock Assn v. Merklin*, 65 Md. 584. *Robertson v. Mowell*, 66 Md. 534. *South Balto Co. v. Muhlbach*, 69 Md. 401. *Gunther v. Bennett*, 72 Md. 364. *Webster v. Lecompte*, 74 Md. 250. *Whitridge v. Whitridge*, 76 Md. 76. *Biggs v. McCurley*, 76 Md. 409. *Bowie v. Bowie*, 77 Md. 311. *Warth v. Brafman*, 85 Md. 675. *Weinecke v. Arbin*, 87 Md. 186. *Flack v. Gottschalk*, 88 Md. 377. *Polk v. Clark*, 92 Md. 373. *Brewer v. Bowersox*, 92 Md. 576. *Gill v. Staylor*, 93 Md. 470.

1888, art. 35, sec. 3. 1860, art. 37, sec. 3. 1864, ch. 109, sec. 3.

1876, ch. 357. 1888, ch. 545.

**4.** In the trial of all indictments, complaints and other proceedings against persons charged with the commission of crimes and offenses, and in all proceedings in the nature of criminal proceedings in any court of this State, and before a justice of the peace or other officer acting judicially, the person so charged shall at his own request, but not otherwise, be deemed a competent witness; but the neglect or refusal of any such person to testify shall not create any presumption against him. In all criminal proceedings the husband or wife of the accused party shall be competent to testify; but in no case, civil or criminal, shall any husband or wife be competent to disclose any confidential communication made by the one to the other during the marriage; and in suits, actions, bills or other pro-