

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.

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. 234 and 235, art. 72, sec. 111, and art. 81, sec. 229, 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.

A sentence "to be whipped seven lashes by the sheriff" is not "a cruel and unusual penalty" within the meaning of this article—see art. 16 and notes thereto. *Foote v. State*, 59 Md. 266.

This article referred to in construing the words "cruel and unusual punishments" in the 8th amendment to the United States Constitution. *Weems v. U. S.*, 217 U. S. 393 (dissenting opinion).

See art. 16 and notes of the Declaration of Rights and notes to art. 27, sec. 17, An. Code.

Art. 26. That all warrants, without oath or affirmation, to search suspected places, or to seize any person or property, are grievous and oppressive; and all general warrants to search suspected places, or to apprehend suspected persons, without naming or describing the place, or the person in special, are illegal, and ought not to be granted.

See notes to art. 22.

Art. 27. That no conviction shall work corruption of blood or forfeiture of estate.

Art. 28. That a well-regulated Militia is the proper and natural defence of a free Government.

See art. 65 of the An. Code.

Art. 29. That Standing Armies are dangerous to liberty, and ought not to be raised, or kept up, without the consent of the Legislature.

Art. 30. That in all cases, and at all times, the military ought to be under strict subordination to, and control of, the civil power.

Art. 31. That no soldier shall, in time of peace, be quartered in any house, without the consent of the owner, nor in time of war, except in the manner prescribed by Law.