

## Art. 23.

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 Constitutions. 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. 143, of Code. *Fitzwater v. Hydro-Elec. Corp.*, 149 Md. 467.

This article referred to in holding art. 56, sec. 183, of Code, constitutional—see notes thereto. *Grossfield v. Baughman*, 148 Md. 334.

See notes to art. 3, sec. 40, of Constitution, and to art. 91, sec. 28, of Code.

## Art. 26.

This article referred to in discussing whether evidence illegally secured was admissible in criminal case. *Meisinger v. State*, 155 Md. 203, 204 (dissenting opinion).

## Art. 35.

This article referred to in discussing meaning of term "citizen"—see notes to Code, art. 25, sec. 143. *Fitzwater v. Hydro-Elec. Corp.*, 149 Md. 466.

## Art. 36.

This article referred to in discussing meaning of term "citizen"—see notes to Code, art. 25, sec. 143. *Fitzwater v. Hydro-Elec. Corp.*, 149 Md. 466.

## Art. 38.

That foreign religious corporation, which was beneficiary under will, failed to secure sanction of Legislature under this article at next session of Legislature, held not to invalidate gift; no laches or prejudice. *Waters v. Order of the Holy Cross*, 155 Md. 151.

Title good by adverse possession, notwithstanding this article. *Rydzewski v. Grace, etc., Church*, 145 Md. 535.

## Art. 40.

This article referred to in discussing meaning of term "citizen"—see notes to Code, art. 25, sec. 143. *Fitzwater v. Hydro-Elec. Corp.*, 149 Md. 466.

See notes to art. 26, sec. 4, of Code.

## Art. 41.

This article referred to in construing art. 3, sec. 33, of Constitution, and art. 23, sec. 347, of Code. See notes thereto. *Littleton v. Hagerstown*, 150 Md. 171 (*cf.* dissenting opinion).

## Art. 45.

This article referred to in holding art. 56, sec. 183, of Code, constitutional—see notes thereto. *Grossfield v. Baughman*, 148 Md. 334.