

late due process.³⁷⁹ Nor does a law that lifts a statute of limitations and makes possible a suit, previously barred, for the value of certain securities. “The Fourteenth Amendment does not make an act of state legislation void merely because it has some retrospective operation. . . . Some rules of law probably could not be changed retroactively without hardship and oppression Assuming that statutes of limitation, like other types of legislation, could be so manipulated that their retroactive effects would offend the constitution, certainly it cannot be said that lifting the bar of a statute of limitation so as to restore a remedy lost through mere lapse of time is *per se* an offense against the Fourteenth Amendment.”³⁸⁰

State Control over Local Units of Government

The Fourteenth Amendment does not deprive a state of the power to determine what duties may be performed by local officers, and whether they shall be appointed or popularly elected.³⁸¹ Nor does a statute requiring cities to indemnify owners of property damaged by mobs or during riots result in an unconstitutional deprivation of the property, even when the city could not have prevented the violence.³⁸² Likewise, a person obtaining a judgment against a municipality for damages resulting from a riot is not deprived of property without due process of law by an act that so limits the municipality’s taxing power as to prevent collection of funds adequate to pay it. As long as the judgment continues as an existing liability, no unconstitutional deprivation is experienced.³⁸³

Local units of government obliged to surrender property to other units newly created out of the territory of the former cannot successfully invoke the Due Process Clause,³⁸⁴ nor may taxpayers allege any unconstitutional deprivation as a result of changes in their tax burden attendant upon the consolidation of contiguous municipalities.³⁸⁵ Nor is a statute requiring counties to reimburse cities of the first class but not cities of other classes for rebates allowed for prompt payment of taxes in conflict with the Due Process Clause.³⁸⁶

³⁷⁹ *Shriver v. Woodbine Bank*, 285 U.S. 467 (1932).

³⁸⁰ *Chase Securities Corp. v. Donaldson*, 325 U.S. 304, 315–16 (1945).

³⁸¹ *Soliah v. Heskin*, 222 U.S. 522 (1912); *City of Trenton v. New Jersey*, 262 U.S. 182 (1923). The Equal Protection Clause has been used, however, to limit a state’s discretion with regard to certain matters. See “Fundamental Interests: The Political Process,” *infra*.

³⁸² *City of Chicago v. Sturges*, 222 U.S. 313 (1911).

³⁸³ *Louisiana ex rel. Folsom v. Mayor of New Orleans*, 109 U.S. 285, 289 (1883).

³⁸⁴ *Michigan ex rel. Kies v. Lowrey*, 199 U.S. 233 (1905).

³⁸⁵ *Hunter v. Pittsburgh*, 207 U.S. 161 (1907).

³⁸⁶ *Stewart v. Kansas City*, 239 U.S. 14 (1915).