

no law to attain particular persons of treason or felony ought to be made in any case, or at any time hereafter; that excessive bail ought not to be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted by the courts of law." These restrictions relate to the executive, legislative, and judicial powers respectively; they refer to masses of power, or modes of authority; and declare, that they shall be restricted to a certain extent, and confined within certain boundaries.

This *thirtieth* article does not speak of the quantity, quality, or extent of judicial, or any other sort of power; laying aside every thought upon those subjects, it gives us to understand, that be the extent and nature of the judicial power what it may, it is of vital importance to have suitable agents to execute it. This article contemplates the moral and intellectual qualities of the man who is the public agent. "The independency and uprightness of judges;" that is, the firmness, the honesty, the skill, and the resolution with which the men appointed to fill judicial stations, will resist all threats, temptations, and undue influence. It is these personal and moral qualities which "are essential to the impartial administration of justice, and a great security to the rights and liberties of the people." To sustain these qualities, and to prevent a deviation from these moral principles, is the sole object of this article; and is that which gives to it its peculiar features and character.

After having thus distinctly indicated the human excellencies which are required for judicial stations, this article then proceeds to prescribe the *mode* in which those excellencies shall be sustained. It directs the manner in which deviations from them may be corrected and punished; and then concludes by removing from about the judicial office one class of the temptations by which it had been previously beset. That is, the judge is to be supported in the firm, independent, and impartial discharge of his official duty, by being commissioned during good behaviour; and also by having his salary secured to him during the continuance of that commission; he is to be punished for misbehaviour by removal; and he is not, as formerly, to be exposed to the temptation to go

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is to this claim of settling the fees by proclamation, that the first legislative enactment of the republic upon the subject of fees alludes by declaring, that officers' fees can be rated, regulated and established by act of Assembly only.—(October 1777, ch. 10; *Biog. Sign. D. Inde. Life of Carroll.*)