

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. 13, 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.

This Article referred to in holding conversations heard over the telephone in reference to bets on races, were inadmissible under the facts disclosed by the record. *Rowan v. State*, 175 Md. 559.

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

Cited in *Hitzelberger v. State*, 174 Md. 165.

Cited in *Silverstein v. State*, Daily Record, May 27, 1939.

Cited in construing Art. 2B, Secs. 13 and 45. *Miller v. State*, 174 Md. 370.

See notes to art. 22.

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

This article has no application where husband murders his wife, for by reason of his act he never acquired a beneficial interest in any part of his wife's estate. *Price v. Hitaffer*, 164 Md. 507.

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.

Art. 32. That no person except regular soldiers, marines, and mariners in the service of this State, or militia, when in actual service, ought, in any case, to be subject to, or punishable by, Martial Law.

Art. 33. That the independency and uprightness of Judges are essential to the impartial administration of Justice, and a great security to the rights and liberties of the People; wherefore, the Judges shall not be removed, except in the manner, and for the causes, provided in this Constitution. No Judge shall hold any other office, civil or military or political trust, or employment of any kind whatsoever, under the Constitution or Laws of this State, or of the United States, or any of them; or receive fees, or perquisites of any kind, for the discharge of his official duties.

Cited in holding that judges' salaries are not subject to State income tax (1937 Sp. Sess., ch. 11). *Gordy v. Dennis*, 176 Md. 114.

The act of 1894, ch. 6, providing that if an objection were filed to an application for a license to sell liquor in Carroll county, the judge of the circuit court should determine whether the license should issue, held not to violate this article. *McCrea v. Roberts*, 89 Md. 251.

The act of 1841, ch. 271, imposing a tax upon monies deposited in Baltimore county court or coming into the hands of trustees, etc., to be paid the judges as a part of their salary, held not to violate this article (as it stood in the Constitution of 1851). Design of this article. *Bradford v. Jones*, 1 Md. 368.