

depreciated they can upon that ground claim heavier salaries.

My understanding of this section is that during the continuance of the contract which the officer makes, he shall not ask of the Legislature an increase of his salary, and for that reason I shall be in favor of this section just as it stands. The officer makes a contract to serve the State for a certain amount of money. After he has made that contract let him fulfil it for the term of his office.

Mr. SCHLEY. This clause came under discussion in the committee. The motives that impelled the committee to retain the section as it stands in the present Constitution were briefly these, particularly in respect to this paragraph: We thought that the words—"Nor shall the salary be increased or diminished"—would tend very much to shield the Legislature from corrupting influences and from the representations of designing persons who are constantly seeking to obtain an increase of their salaries, or to obtain extra compensation. It was to exclude such influences from the Legislature entirely. I do not think that the contingency now upon us ought to be regarded in framing this Constitution, for it is not permanent at all. It was believed by the committee that under a general law the salaries of classes of public officers can be increased or diminished; but not of any individual public officer during his term of office.

I am in favor of retaining the clause as it stands, and shall oppose the amendment. I would much rather, than have this amendment, that the whole paragraph from the word "Nor" should be stricken out. Still, I think it is a great security to the Legislature against corrupting influences.

Mr. MILLER. The provision of the Constitution of the United States bears out the construction that I should place upon this provision of our Constitution should my amendment be adopted. The clause of the Constitution of the United States, in reference to the salary of the President, provides that he shall receive a stated sum for his services, which shall not be increased or diminished during the term for which he shall be elected. That fixes his salary at so much. But when you come to the portion of the Constitution relating to the judiciary, you find the provision to be that the judges shall receive for their services a compensation which shall not be diminished during their continuance in office. But Congress has increased the salaries of the judges of the Supreme Court of the United States and of district judges under that clause, there being nothing in it prohibiting Congress from increasing their salaries or making such additional compensation as they may from time to time choose to give to those high officers. My amendment would allow the Legislature, from time to time, to meet the exigencies of the currency,

to increase the salaries of those officers in order to keep them up to what ought to be the standard of such salaries.

Mr. PUGH. Admitting that the salaries of the judges have been increased, is it compatible with the purity of the judiciary to make the judges interested in having their salaries increased?

Mr. MILLER. The efficiency, integrity and purity of the judges of the Supreme Court of the United States have never been affected that I am aware of, because Congress has the power to increase their salaries. We have never heard that charge against them.

Mr. SCHLEY. Perhaps the gentleman from Anne Arundel (Mr. Miller) can better reach the object he desires by an addition to the section to this effect—"except the judges of the courts, whose salaries shall not be diminished during their tenure of office," or—"except such offices as are otherwise provided for in this Constitution." Then he can include this subject in the article on the judiciary. There is an evident propriety in adding a saving clause for offices of a long tenure; because apart from the troublous times now and the fluctuations in the value of the currency, the duties of judges are likely to be fluctuating. It is a prudent precaution at least, and I will vote for it if the gentleman will undertake to reach it in that way. But I have no desire to leave the question of other public officers open merely to meet an exigency which may never occur.

Mr. MILLER. I have no design, in offering this amendment, to have it apply to those officers whose terms of office are for a short period. And I have no idea that the Legislature ever would increase the salaries of officers whose terms were short. But what I designed was not to prohibit the Legislature, if a judge was elected during good behavior, from increasing his salary during his whole term, which might be thirty, forty or fifty years, but leave it as it was fixed at the time he was elected. I will withdraw my amendment and prepare another to meet the suggestion of the gentleman from Frederick (Mr. Schley.)

The amendment of Mr. Miller was accordingly withdrawn.

Mr. MILLER. I now move to amend section twenty-one, by adding the following:

"Except judges of the courts, whose salaries shall not be diminished during their term of office."

Mr. SANDS. I would inquire of the gentleman from Anne Arundel (Mr. Miller,) how will he meet this difficulty? Two years hence paper may be even doubly depreciated what it is at present. And in such currency it would take \$10,000 to pay competent judges a salary of \$2,000 in gold. Very well; the Legislature increases the salary to \$10,000. Now, if this amendment is adopted the Legislature thereafter would never have power to