

decrease that salary, though paper should go up to the gold standard five or ten years thereafter; you would still pay the judges of your courts a salary of \$10,000. Now, I think if the Legislature is allowed to increase salaries to meet the difficulties which have been suggested, they ought also to be allowed to diminish them when those difficulties no longer exist. If you give them power to increase under certain circumstances, give them also the power to diminish; or before the expiration of the terms of judges who may go into office under your new system, you may be paying them \$10,000 or \$15,000 in gold, or in paper which may be then equivalent to gold.

I am totally opposed to any amendment under which such abuses may exist; for under the amendment proposed by the gentleman from Anne Arundel (Mr. Miller) you may go on constantly increasing the salaries, but you can never diminish them. It is an old saw, that it is a bad rule that will not work both ways.

Mr. MILLER. I will meet the objection of the gentleman from Howard (Mr. Sands) by adding the following to the amendment—"below those fixed by this Constitution." It will then read—

"Nor shall the salary or compensation of any public officer be increased or diminished, during his term of office, except the salaries of the judges of the courts, which shall not be diminished during their term of office below those fixed by this Constitution."

That would prevent the Legislature from diminishing their salaries below those which we may fix in this Constitution; but if, from time to time, their salaries are increased to meet the fluctuations of the currency, they can be diminished afterwards, but not below the standard we may fix in the Constitution.

Mr. SANDS. There is still another objection. Suppose we fix the standard of salaries now according to the standard of our paper currency to-day. Then when the depreciation has passed away, what can be done? That is the only objection I can now see to the amendment. If my friend can meet that objection, I think I will vote for his amendment. We are now going to fix the salaries upon the standard of our present depreciated paper currency. If we could fix in our Constitution some gold standard below which these salaries should never be diminished, then I should be willing to go with my friend.

Mr. PUGH. I am opposed to this amendment for the very reason urged in its favor by my friend from Howard (Mr. Sands.) I am opposed to acknowledging in our Constitution by a single word that our currency is depreciated. Any person who accepts the position of judge, makes a contract with the State to perform certain duties for a certain salary. If he is not satisfied with the salary,

then let him not enter into the agreement. I am opposed to saying here that under any circumstances there may be a time when five dollars will not be five dollars; although I am perfectly willing, as a matter of fact, to admit that at some times five dollars will not buy as much as at other times. But I am opposed to putting in the organic law of the State, and in this debate statements, at least of those members of this Convention, who are in favor of this Government, acknowledging that our currency is not worth what it professes to be worth. If a judge of a court takes the position of a judge for so much money a year, it is our money, it is our currency. I am opposed to the amendment of the gentleman from Anne Arundel (Mr. Miller) for this reason more than any other; that it presupposes a possible condition which I am utterly unwilling to admit in the Constitution of the State of Maryland.

Mr. STOCKBRIDGE. I move to amend the amendment by striking out of it all after the word "courts," so that it will read—"except judges of the courts." I think it is unnecessary and injudicious to enact here that the salaries of judges may be increased or diminished. It will be time enough to do that when we come to the article on the judiciary.

Mr. MILLER. We will meet the same difficulty in the judiciary article.

Mr. STIRLING. It seems to me that instead of especially mentioning judges, it would be better to amend the clause so that it would read something like this:

"Nor shall the salary or compensation of any public officer be increased or diminished during his term of office, except in cases specially authorized by this Constitution."

That will embrace every case. It looks like an invidious distinction in favor of judges, to mention them in this particular manner, and it will be an unpopular thing. It will be saying that the Legislature can give judges what they please, but nobody else. Make it a general provision, and not one especially in favor of judges.

Mr. MILLER. I will accept the suggestion of my friend from Baltimore city (Mr. Stirling,) if this section does not bind us up when we come to the article on the judiciary. I will, therefore, modify my amendment so as to add to this section, the following words:

"Except in cases specially provided for in this Constitution."

The question was upon agreeing to the amendment.

Upon this question Mr. PUGH called for the yeas and nays, which were ordered.

The question being then taken, by yeas and nays, it resulted—yeas 20, nays 30—as follows:

Yeas—Messrs. Goldsborough, President; Belt, Carter, Chambers, Crawford, Daniel, Dent, Earle, Edelen, Harwood, Henkle, Hol-