

deem proper, those citizens of the State who have served, with honor, their Country and State in time of War; provided, however, that such action of the General Assembly shall be effective only when submitted to and approved by a vote of the people of the State at the General Election next following the enactment of such legislation.¹

Ch. 356, Acts of 1937 (art. 89B, sec. 155 *et seq.*), authorizing bonds for construction of bridges, to be payable exclusively from tolls, does not authorize the contracting of a debt within the meaning of this section. *Wyatt v. State Roads Comm.*, 175 Md. 258.

The act 1904, ch. 225, appropriating certain money from the state treasury to aid the different counties of the state in the construction and repair of public roads, held not to be in conflict with this section, as the term "works of internal improvements" as used in this section does not apply to such public highways of the state as are constructed by the counties and contemplated by the act of 1904. History of this section. How the Constitution should be construed. *Bonsal v. Yellott*, 100 Md. 497; *Welch v. Cogan*, 126 Md. 8.

This section (as it stood in the Constitution of 1851) did not deny to the legislature the power to compromise and release claims of the state; hence an act releasing sureties upon bonds of a collector of taxes, was held valid. *State v. Hendrickson*, 15 Md. 207.

Requirement of section is mandatory but is met when provision is made for adequate taxes beginning with next levy. *Bickel v. Nice*, 173 Md. 1.

See notes to secs 30 and 32 (this article) and to art. 1, sec. 1, and art. 14, sec. 1, Md. Constitution, and to art. 43, sec. 378, An. Code.

Sec. 35. No extra compensation shall be granted or allowed by the General Assembly to any public Officer, Agent, Servant or Contractor, after the service shall have been rendered, or the contract entered into; nor shall the salary or compensation of any public officer be increased or diminished during his term of office.

This section referred to in holding that judges are not subject to State income tax imposed by 1937 Sp. Sess., Ch. 11. *Gordy v. Dennis*, 176 Md. 124. (Dissenting opinion.)

This section referred to in holding Ch. 720, 1939 (art. 52, secs. 93-114), valid. *State v. Woelfel*, *Woelfel v. Co. Commissioners* (Judge Melvin, Circuit Court for A. A. Co.), Daily Record, Aug 7, 1939.

Where the fee table of justices of the peace is not affected by an act so far as the costs to litigants is concerned, but is repealed by said act in so far as it relates to the ultimate disposition of those fees, the act is valid. See notes to art. 4, sec. 42. *Levin v. Hewes*, 118 Md. 642.

The provision as to diminution of compensation of public officers applies to those holding offices of legislative creation as well as those established by the Constitution; county treasurer of Calvert County; term. *Calvert County v. Monnett*, 164 Md. 101.

Allowance to sheriff for keeping prisoners not salary within meaning of this section. *Bowman v. Harford Co.*, 166 Md. 296.

Salary of State's Attorney cannot be reduced by County Commissioners during term; acceptance of reduced salary does not estop later claim for full salary. *A. A. Co v. Goodman*, 172 Md. 561.

See notes to sec. 32.

[35A. Nothing in this Constitution shall exempt the salary or compensation of any judge or other public officer from the imposition by the General Assembly of a non-discriminatory tax upon income.]²

Sec. 36. No Lottery grant shall ever hereafter be authorized by the General Assembly.³

In the adoption of this section, there was no design to interfere with existing private lottery grants or to impair the existing power of the legislature to regulate the same, or modify the means by which such grants might be more effectually or speedily accomplished. Object and construction of this section. *Lucas v. McBlair*, 12 G. & J. 17.

For a case dealing with the provisions of the Constitution of 1851 relative to lotteries, see *Broadbent v. State*, 7 Md. 429.

See notes to sec. 32.

¹ Thus amended by Act of 1924, ch. 327, and ratified Nov. 4, 1924.

² This section was submitted by ch. 771, 1939, and will be voted upon by the people in Nov. 1940.

³ A proposed amendment to repeal this section was submitted by ch. 463, 1935 and rejected by the voters at the election Nov. 8, 1938.