

of the salaries of the Judges is interpreted to include also a prohibition against *increasing* them.

The deliberate use of in two places of the words denying to the Legislature the power to diminish the salaries, and in the same section a prohibition against both *decrease and increase* of the sum granted by the Mayor and City Council of Baltimore, can only be accounted for by the conclusion that the framers of the Constitution intended that the Legislature should be left free to increase, but should not have the power to diminish their salaries.

It is said that if the Legislature has the power to increase the salaries why should there be the special provision for an increase of the salaries of the Judges of the Supreme Bench of Baltimore city? To this it must be replied that the special provision is that the Mayor and City Council of Baltimore city and *not the Legislature* are authorized to make this special increase. There are no published debates of the Constitutional Convention of 1867 to throw light on this subject, but this special increase may have been provided for to satisfy the members from Baltimore city who may have been dissatisfied with the salary to be paid by the State to the Judges in Baltimore city.

At any rate it is clear in our judgment that it is intended by the Constitution to lodge the power somewhere to increase the salaries of the Judges since it prohibits only a decrease. The Legislature has all powers except those prohibited to it, and as it alone could provide for such increase, it seems to us that to it was intended to be confided the power to make the increase.

(2.) While the construction for which we contend is amply justified by a consideration of the sections above quoted, the construction is strengthened and confirmed by reference to similar provisions in the previous Constitutions of the State.

Under the Constitution adopted by the Convention of 1776, which was in force from November 11th, 1776, until June 4th, 1851, the amount of the salaries of the Judges was fixed by the Legislature. The 30th section of the Bill of Rights provided, "That salaries liberal, but not profuse, ought to be secured to the Chancellor and the Judges during the continuance of