

ished" during their official term. Can there be any doubt, on anybody's mind, that the Legislature would have been perfectly free to increase the salary of any and every officer, under such circumstances?

If I am right in this, and it was the intention of the Constitution to forbid the diminution and not the increase of the salary of the Judges, thereby segregating them, as peculiar public officers from the great body of those holding office under the Constitution, the objection arising under the 1st section of Article 15 must fall to the ground also. I think, however, that on its face and from its context and connection, this last named restriction, broad as its language is, was intended to apply only to the class of officers just above named in the same section—that is to say, those "whose pay or compensation is derived from fees or moneys coming to their hands for the discharge of their official duties." It was intended to fix, at a maximum of \$3,000, the salaries of those of this class, being a very considerable number for whose pay the Constitution did not otherwise especially provide.

Not only, in my judgment, is the purpose of leaving the question of the increase of the salaries of the Judges open for the Legislature to determine, made clear by the construction and comparison of the language used, but it is fully contended and supported by public policy. If there is anything which has been regarded, from the commencement of our Government, as "essential to the impartial administration of justice and a great security to the rights and liberties of the people," it is "the independency and uprightness of Judges." This is vigorously asserted in the 33d Article of our Declaration of Rights, and it is accordingly provided, in the same Article, that the Judges shall not be removed except "in the manner and for the causes provided in this Constitution." It would be idle to provide that Judges should not be removed, if the Legislature or the people were left free to coerce them into subserviency, or punish them for their independence, by depriving them of their means of support. It was therefore primarily essential, to provide that their salaries shall not be diminished during their continuance in office. No evi-