

people, through the Legislature, the right to give them more, by way of fixed salary, if it should be found necessary, as a matter of justice, it will be the best arrangement we can adopt. I think it is assuming too much, to suppose that we can decide for all time to come, the proper remuneration of a Judge of the Court of Appeals."

The Convention refused to strike out the words in question, by a vote of 5 to 63. (Second Vol. Debates, pages 558, 559.)

When the present Constitution was adopted, the provisions of the former Constitutions were carefully considered; the change in the use of the language on the subject showed that the members of the Convention of 1867 had considered the question, and by the wording as adopted by them, simply intended to prevent the Legislature from diminishing the salaries below the figure named, and left the Legislature free to increase the same at its pleasure.

You will notice in the provision in regard to the amount which might be given by the Mayor and City Council to the Judges of the Supreme Bench of Baltimore city, that the old phraseology is preserved, to wit:

"That the same being once granted shall not be diminished nor increased during the continuance of said Judges in office."

The Constitution of the United States, Article 3, section 1, in making provision for the Supreme Court and other Tribunals, which Congress, from time to time has power to establish, prescribes:

"The Judges, both of the Supreme and inferior Courts, shall hold their offices through good behaviour, and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office."

Congress, from time to time has increased the salaries of the Federal Judges, and its power to do so is under the wording of the Constitution similar to ours, and has never been questioned.

The only suggestion against the power of the Legislature in this matter is found in the 35th section of Article 3, which is as follows: