

addition thereto, for the performance of any Judicial duty." The Constitution of 1864 (Article 4, section 21), as above shown, declared that the salary of the Judges of the Court of Appeals shall be \$3,000, withholding any declaration in reference to their increase or decrease; and by section 28, it said the salary of the Circuit Judges shall be \$2,500, and "shall not be *increased* or *diminished* during their continuance in office."

It will also be observed, that in the Constitution of 1867, while declaring that the salaries of the Judges of the Supreme Bench of Baltimore city, so far as these salaries are paid by the State of Maryland, shall not be diminished, provides in reference to the additional \$500 which the city of Baltimore is authorized to pay, that when once granted, this shall neither be increased or diminished during their continuance in office.

It would therefore seem too clear for any difference of opinion that power is intended to be lodged somewhere to *increase* the salaries, in reference to which there is only a prohibition to decrease; and as the Legislature has all powers except those prohibited to it, and as it alone could provide for such increase, it is clear that to it was intended to be confided the power to make the increase.

4. Nor is there anything in any other part of the Constitution of 1867, to affect the construction which we have seen must be put on the 24th and 31st sections of Article 4, when taken by themselves. The only other sections, so far as I am aware, which are supposed to bear on this subject, are sections 35, Article 3, and section 1, Article 15.

Now, while of course all parts of the Constitution are to be considered when enquiring as to the true construction of any particular part, yet we must not forget that the Judicial Department is a separate department of the State Government, and is dealt with in a separate Article of the Constitution. The strongest presumption therefore exists that this Article was intended to deal exhaustively with all matters relating to the tenure and salaries of the Judges, and that provisions in other Articles of this Constitution,