

upon the power to *diminish* those salaries, the reference to an *increase* of those salaries being carefully omitted.

Additional force would be added to this view of the matter by reference to the provisions of previous Constitutions of this State on that subject, in which the same careful omission of the power to decrease salaries is to be found. But the evidence of the intention of the Constitution to be found upon its face is, in my opinion, sufficient to show that it was not designed to prohibit the Legislature from *increasing* the salary of judges.

By this construction of section 24, of Article 4, we avoid any conflict between it and Article 3, section 35, and consequently the latter ought not to be construed as applicable to the salary of Judges.

Taking, therefore, all the provisions which have any bearing upon this subject, namely, Art. 3, sec. 35; Art. 4, sec. 24; Art. 4, sec. 31, and Art. 15, sec. 1, I have no hesitation in saying that the well recognized rules of construction require us to hold that so far as the salaries of Judges are concerned, there is no restriction upon the power of the Legislature to *increase* them during the term of office of the Judges, but only upon its power to *diminish* them.

I regret that the short time which I have had at my disposal to put the result of my examination of this question in writing, prevents me from entering more largely into the discussion of it. I have no doubt of the correctness of the conclusion as I have above stated it.

Very truly yours,

CHARLES MARSHALL.

BALTIMORE, March 1, 1892.

Hon. James E. Gorter :

DEAR SIR :—The proposition to *increase*, by Act of Assembly, the salaries of our State Judges, is not a new one. It has been several times before the Legislature, and the opinion generally entertained has been that while the Constitution prohibits the General Assembly from *diminishing* their salaries, there is nothing in it which denies the power to *increase* them.