

Some difference of opinion existed upon the subject, but as far as I could ascertain this was rather a *doubt* as to the constitutionality of the bill than a decided conviction against it.

I have more than once had occasion to examine the question, and it seems to me to be quite clear that the language of sections 24 and 31, of Article 4, by *necessary and irresistible implication* permits the Legislature to *increase* the salaries of the Judges. The plain rule of interpretation is that effect must be given to all the words used. In two places it is expressly provided that the salaries shall not be *diminished*. And in section 31, of Article 4, in which this language is used, it is expressly declared, in regard to the sum which the the Mayor and City Council of Baltimore are authorized to vote to the Judges of the Supreme Bench of Baltimore city, that when once voted it shall not be *increased or diminished*.

The whole significance of this careful restriction is lost if the plain prohibition against the *diminishing* of the salaries of the Judges is interpreted to include also a prohibition against *increasing* them.

The deliberate use in two places of the word denying to the Legislature the power to *diminish* their salaries, and in the same section a prohibition against both *decrease and increase* of the sum that might be voted 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.

Section 35, of Article 3, strengthens this view, for there the language is as follows: "Nor shall the salary or compensation of any public officer be *increased or diminished* DURING HIS TERM OF OFFICE."

The use of this language here in this general clause and the studied omission of the prohibition of an increase of the salaries of the Judges in the special clauses relating to them, demonstrates that as to them the power of the Legislature was to be greater than that passed by them in relation to other State officers.

By no other interpretation can the language of the whole instrument be harmonized, and of course in