

If with or without this attachment or clause to the salary as ascertained and named it could not have been diminished, and if this attachment may have been made "*Ex abundanti cautela*," wherein arises the necessary implication and logical inference, that as a like prohibitory clause as to the matter of increase was not attached, therefore the framers of the Constitution intended to leave the matter of increase wholly in the discretion of the Legislature.

It was never for a moment conceived or apprehended that an increase would be attempted, and hence no necessity for a prohibitory attachment or clause to the provision for a salary was suggested and hence *Ex abundanti cautela*, it was not deemed necessary to attach a prohibitory clause.

Besides all this, the general tone and spirit pervading the whole instrument and its express provisions as contained in other parts of the Constitution would thwart and prohibit any attempt at an increase.

But it will be said that this implication of a legislative power and right to increase is justified or made apparent by the use of the prohibitory clause "shall not be diminished or increased" when provision is made for an actual, certain and definite increase or addition to the salaries of the Baltimore City Judges, "during the continuance of said Judges in office," to be granted and paid by the Mayor and City Council of Baltimore, the question being why should the provision "Shall not be increased" as well as "Shall not be diminished" be used here and not in the naming and ascertaining of the salary to be paid out of the State Treasury, if the general right to increase did not and was not intended to exist in the case of the latter. The answer is, that the matter being specially dealt with was the matter of an increase of salary, an increase to a limited extent and from a named source, being provided. But so careful are the framers of the Constitution in making provision for this increase, while it provides it shall not come out of the State Treasury, it immediately further provides that "thus far shall thou go and no further." When this addition is made, it shall become fixed, final and unalterable, it shall neither be subject to be added to or taken from.