

1 the Board there, which really runs the county, shares
2 the legislative and executive powers, and that type
3 of government was recommended by the National Municipal
4 League.

5 You might go on and on, and I could think --
6 probably if I had the time I could give you 40 different
7 exceptions to this general principle. It never was
8 really a legal principle.

9 The Frenchman I mentioned on an earlier
10 occasion, Montesque -- his view that it existed based
11 on the British Parliament was quite incorrect because
12 from time immemorial the House of Lords was both a
13 legislative body and a court, as it is today.

14 To put this in the constitution will lead, I
15 take it, to any number of difficult court decisions
16 and constructions, and the need for it, if it ever
17 existed, has largely been done away with by the fact
18 that in our present constitution we have set up and
19 delineated the powers of the three branches and give
20 plenary power to the legislature, judicial power to
21 another body, and the executive power to a third, so