

1 on knocking down an act of Congress upon this principle
2 stating it was a necessary ingredient to a free government.

3 For these reasons I ask that you support the
4 Committee's Recommendation.

5 THE CHAIRMAN: Delegate Sherbow.

6 DELEGATE SHERBOW: Mr. Chairman, ladies
7 and gentlemen, I disagree with Delegate Gleason's results,
8 but I certainly agree with him when he says you can't
9 argue this in the time that is allotted, but I will ask
10 you to bear with me because I don't want to take additional
11 time.

12 The court of appeals just last week, on December
13 13, decided a case which dealt with this direct situation.
14 I am going to read you now from the minority opinion, and
15 bear in mind that if the minority should ever become the
16 majority what you will have in the event this stays in
17 the constitution, the judge in the minority opinion, Judge
18 Wilson Barnes, said, "Article 8 of the Declaration of
19 Rights of the Maryland Constitution provides that the
20 legislative, executive and judicial powers of government
21 ought to be forever separate and distinct from each other",