

1 I submit to you this is just not so. The pres-
2 ent Constitution, while it does not use the word "exclu-
3 sively", implies as much, because it states in fact,
4 where the judicial power shall lie and it says the judi-
5 cial power shall be the Court of Appeals, Intermediate
6 Appellate Courts, Orphans' Courts, and such courts in
7 the City of Baltimore as are hereinafter provided for.

8 This is a direct quote from the present Consti-
9 tution, and yet, when it was necessary to establish a
10 Tax Court, or the Public Service Commission, no one thought
11 it was necessary to amend the Constitution to do this.
12 As a matter of fact, I prepared the legislation which set
13 up the Tax Court, and the Commission which I headed
14 conceived the idea. It was passed during Governor Tawes'
15 administration. This is a statutory court and I submit to
16 you that the General Assembly, even with the word "exclu-
17 sively" in this particular draft, would still have the
18 power to set up bodies which will be determinative bodies
19 but which will not have the judicial power. This is the
20 important thing.

21 So there is just nothing to this argument that