

1 if you look at the practice in the common law as it has
2 grown up and has been recognized in the various States.

3 With respect to New Jersey, I think one would
4 have to fairly recognize the very unusual situation there
5 where the change in the rule was accomplished simply by
6 a more dynamic and unusually so Supreme Court Chief Justice
7 as against a rather weak Legislature at the time, and in
8 all fair comment, I think in recognition of the fact that
9 heretofore the Legislature, in regard to treatment of the
10 executive, which was commented upon, can and often does,
11 not only in Maryland, but in other States, provide for
12 the detailed methodology of carrying out procedures in
13 the executive as well as in the judiciary and, when they
14 do so, their conclusion and what they provide for has
15 always been held to be final authority and the executive
16 carries it out according to the provisions as set forth
17 by the Legislature.

18 THE CHAIRMAN: Any further discussion? Are you
19 ready for the question? The question rises on the motion
20 to substitute Section 7, as it appears on Pages 31 and 32,
21 for Section 7, as it appears on Pages 30 and 31 in the