

and the Chair was by reason of that fact in error in stating in response to an inquiry a few moments ago that the Peoples' Court of Baltimore City was not a court of record. The Constitution provides as follows: unless otherwise provided by law, People's Court shall not be a court of record.

When I started to practice law the Peoples' Court was not a court of record. I am told that it was made so by law some ten years ago. I feel very old.

DELEGATE RYBCZYNSKI: Which part do you hate to admit, Mr. President, the part about my being younger or the error?

THE CHAIRMAN: Touché.

Are there any further questions as to section 21?

Delegate Della.

DELEGATE DELLA: Delegate Hardwicke, in section 21, there is no different recommendation for salaries of the chief judge and the associate judge. Is there any reason for that?

DELEGATE HARDWICKE: I understand that there is a difference now. The Committee felt that there was no need for any requirement that there should be a difference. It would probably run afoul of the constitutional provision against differentiating between the salaries of the judges at the same level which we have already passed through this Convention.

In other words, since the chief judge is a judge on the highest level and since we have to pay all the judges on that level the same salary, we would run afoul of the present constitutional prohibition in differentiating in salary at any level.

THE CHAIRMAN: Delegate Della.

DELEGATE DELLA: The chief judge has different duties from the associate judge. He is administrative officer of the court, and I think he has been recognized as such. That is the reason for the increase in pay, which is a nominal sum, but only as recognition of his position.

DELEGATE HARDWICKE: I suppose that I have said that your quarrel is with the way we put the provision through in the main constitutional provisions relative to judges' salaries, and I think that if you want to take care of the point you are making you would have to amend that provision to permit us to differentiate with regard to the chief judge.

THE CHAIRMAN: Delegate Della, Delegate Hardwicke is speaking of the provision in the proposed constitution, which this Convention has adopted.

Delegate Gleason, do you have a question as to an earlier section?

DELEGATE GLEASON: Do you want to finish section 21 first?

THE CHAIRMAN: We will come back to it.

DELEGATE GLEASON: Delegate Hardwicke, in reading the transitory legislation in section 14 with respect to the Board of Public Works and Board of Review, it states the following: "Upon termination of the legal existence of the Board of Public Works all its powers and duties shall be vested in the Board of Review" for which provision is made in article 4 of this constitution.

When you look at the constitution under section 4.24, it states the following: "There shall be a Board of Review in the executive branch. The Board shall consist of," the individuals whom we know. "The Board shall act by majority vote and shall hold its meetings in public . . . and have such powers as the General Assembly may prescribe by law."

You correct me if I am wrong, but it seems to me that the transitory legislation is transferring the existing powers of the Board of Public Works to the Board of Review, which, in effect, makes it imperative, or makes it necessary, that if the General Assembly wants to change such powers, it will have to take a positive act and reduce those powers or cost them in some different light, which, of course, I think is contrary to what the provision of the constitution says.

DELEGATE HARDWICKE: Delegate Gleason, I call your attention to the first portion of section 14 as appears on line 47, page 19: "Upon the termination of the legal existence of the Board of Public Works, all of the powers and duties shall be vested in the Board of Review."

Secondly, I might point out to you that the main functions of the Board of Public Works are not found in Article XII of the prior Constitution, but most of its functions are statutory.

THE CHAIRMAN: Delegate Gleason.

DELEGATE GLEASON: I am well aware of that, Delegate Hardwicke, but my point is that the powers that are to be