

1 that you should spell out, that you should incorporate
2 certain limitations on the powers of the court? Do you
3 have any line of demarcation between what should be left
4 and what should not be left?

5 MR. ENEY: No. I don't think it is possible
6 to draw a line. The general concept of the Constitution
7 is that it shall create the organs of government and
8 spell out broadly and very generally their power, but
9 all matter of detail and insofar as possible, all matter
10 that is subject to change, as times and conditions
11 change, should be left to the Legislature so that you
12 don't have to amend the Constitution every time circum-
13 stances dictate changes.

14 JUDGE CLAPP: Aren't some things so serious
15 they should be a matter of constitutional change?

16 MR. ENEY: Yes. That is why I asked Mr. Red-
17 den the question, doesn't he think the question of whether
18 the Orphans' Court jurisdiction should be exercised by
19 the Circuit Court or the People's Court is a matter of
20 that moment. I gather he did not. His point is whichever
21 court exercises it, ought to be on countywise basis.