

ence in quality and price. They have not the slightest knowledge of the cost of credit. These poor, in the televised, billboarded land of plenty want the creature comforts, too: Christmas toys, Easter clothes, Thanksgiving turkey, even a nice used auto to take the family on a July 4th picnic.

Every great constitution guarantees the people basic rights, and here is a basic right that is badly needed. We need a mandated right in the market place, which will provide the following: (1) People need rights to health and safety. We have made progress in this right since 1906. (2) People need the right not to be deliberately deceived. Protection against deception in packaging, inferior materials used in home improvements. (3) People need rights against fraud, not to be subjected to criminals in the market place. Ninety-five per cent of businessmen are honest, but people should have police protection against the dishonest five per cent. (4) People need the rights against psychological subjugation. Hypnotism in advertising undermines the citizens. (5) People have a right to be educated for the market place.

Yes, they have places to complain: the U. S. Department of Weights & Measures, the people's court, Better Business Bureau, public service and insurance commissions, attorney general, et cetera, but alas, they do not know how to complain. They lack the understanding, the education. They do not have the initiative. They cannot take back the television with the cracked tube, because they cannot find the door-to-door salesman. The bank who financed it says it is not responsible for the product and the money was lent in good faith. There is not a thing that the Charley Brown of Detroit and Cambridge can do but get mad, mad, mad with himself for being ignorant and a fool, mad with his neighbor and society which condones profiting on the poor, mad with a government which ignores broken promises to the poor, and has no laws that provide for his education and protection against harmful and unfair business practices.

I hope we delegates are smart and will rise to this occasion. People need and want this consumer protection. Our economy knows what it means to give a man what he wants. Our economy knows it pays to produce the highest quality and at the best price.

Approval of this recommendation will aid Maryland's economy and attract to this State the finest people and business in the

years to come, for in Maryland they have the added right: "Rights in the Market Place."

THE CHAIRMAN: Do any delegates desire to speak in opposition to the recommendation?

Delegate Marvin Smith?

DELEGATE M. SMITH: Mr. Chairman, I take a back seat to no one when it comes to protecting the rights of the consumer, and even while we have been in session here, sir, I have used the tool of the Maryland Retail Installment Sales Act of 1941 to protect consumers, but I submit to you, sir, that when we write this into the constitution, we are doing the same thing that the Constitutional Convention of 1867 did when it put such things as the Wreckmaster for Worcester County into the Constitution.

We are holding out a promise to people which may not necessarily be kept. As has been indicated by the Chairman of the Committee, this grant, this provision will not increase one iota the power of the General Assembly. The General Assembly has ample power to legislate on the subject. The General Assembly should legislate on the subject. I am distressed by the comment of the Chairman of the Committee that the courts have power to compel the passage of law. This is a new concept so far as I am concerned. That was one of my reasons for voting against the provision on natural resources.

I submit to you, Mr. Chairman, that this is not a necessary provision in the Constitution, and I do not wish to take away from the people who need protection one bit of protection, but this will not protect them.

THE CHAIRMAN: Delegate Wheatley.

DELEGATE WHEATLEY: Mr. Chairman, ladies and gentlemen of the Committee of the Whole: It gives me a great deal of pleasure at this time to speak on behalf of this proposal. Originally when I first saw this proposal introduced I had an impression that this was purely statutory. I was laboring under the impression at that time that we were thinking in terms of what might be in modern jargon called a mini-constitution, but since that time my views have changed drastically. Thus far I have seen no objection to this proposal on the merits. I have not heard one person yet say that they are against this concept. So now we are trying to decide whether or not it is suitable for a