

posterity, protection, religious liberty, welfare, et cetera.

The preamble as submitted by our Committee passed by a vote of 16 to 1. I believe there was a pride in authorship.

The 141 other delegates would like to have their preamble used. The Committee would really like to accommodate every individual, but it cannot.

As Delegate Hardwicke stated, the Committee even used one of his sentences. As a matter of fact, his entire preamble was submitted. This preamble as submitted by the Committee was placed on the blackboard and everyone in the Committee participated in writing it word for word, and this was the composite thinking of all participants in the writing of this preamble.

I would urge you to vote against the amendment and go along with the Committee's Recommendation.

THE CHAIRMAN: Does any other delegate desire to speak in favor of the amendment?

DELEGATE HARDWICKE: Mr. Chairman, normally I would not disagree with the Chairman of my Committee and Subcommittee Chairman Kosakowski unless it were a matter of great importance. I suggest when the language was submitted, there was absolutely no attempt to explain a cogent philosophy. There was no attempt to consider whether or not the words used would be helpful in the construction of a constitution that we are going to submit to the people of Maryland.

I believe the preamble that I have suggested does suggest such a philosophy and will be of assistance in construing the language. It does have a meaning, and it does have a flavor.

The preamble that I have suggested here by amendment will do a great good in the construction of our constitution, and in the preservation of its life.

THE CHAIRMAN: Is there any further discussion?

Delegate Dorsey.

DELEGATE DORSEY: I have a point of personal privilege. At this time I would like to call to the Convention's attention that there are 40 students from Chaptico High School in St. Mary's County attending the Convention, accompanied by their teachers.

I might also say that Chaptico is one of the finest and most modernized schools in the State.

THE CHAIRMAN: Delighted to have them. (*Applause.*)

Delegate Beachley.

DELEGATE BEACHLEY: Mr. President, I would like to speak for the preamble that was prepared by the Committee on Personal Rights and Preamble. I would like to give you a definition that has been given for a preamble, but I would like you to keep in mind that no matter what you say in the preamble, it really has no legal force.

A preamble is merely an introduction or a preface to the document stating the reasons or intent of what is being considered.

We went back to some of the books on constitutional law and found a statement that had been made by Justice Joseph Story who was one of the United States Supreme Court Justices in the Marshall era. It is hard to come by definitions really for preambles, but this is what he gives: "A preamble is the key to open the mind of the makers as to the mischiefs which are to be remedied and the objectives which are to be accomplished by the provisions of a statute," and so we considered that we would put a preamble to our constitution.

Now, as far as the divisions of a preamble, we of the Committee feel that our preamble fits all of the points that are necessary for a preamble.

In the first part we have, "we the people of the State of Maryland," and that points out the legislative source of the constitution.

It is also reinforced by a statement taken from Article I of the draft constitution, which the Committee decided should not be section 1 of Article I of our constitution, but should be incorporated into the preamble. That statement was, "all political power originates in the people and is instituted therefor." So we have reinforced in our preamble that the legislative source of the government is "we the people." All government originates in the people.

The Committee unanimously voted that that purpose of government as suggested in the draft should be incorporated, and we followed their instructions.

A preamble should contain a purpose and philosophy. We studied the preambles of all of the constitutions of the states of the United States, and we found out that all of them either had a purpose or a philosophy.

The last phrase denominates the preamble as a constitution, and to contradict