

and in some cases attempt to take charge of events, it is wise to protect people against the possibility of undue assumption of authority by a potential man on horseback. It is unfortunate that the explanatory notes offer no comment or reason why the word "shall" was changed to "may", or why the position of adjutant general was eliminated.

These two omissions in the explanatory note could be due either to carelessness or to intent and either would be unfortunate. The minority respectfully requests the Convention to restore the word "shall" and to include the naming of an adjutant general in the draft. In the language of the lawyers, *res ipsa loquitur*, the thing speaks for itself. Thank you.

THE CHAIRMAN: Are there any questions of Delegate Pullen, spokesman for the minority, for the purpose of clarification of the Minority Report? Delegate Gleason.

DELEGATE GLEASON: I wonder if the delegate could advise me, if he knows, how many state constitutions have the word "shall" rather than "may."

DELEGATE PULLEN: I do not know and I do not think it makes too much difference. I hope you will excuse me. I do not mean that to be impolite. I do not know.

THE CHAIRMAN: The answer to the question was that Delegate Pullen did not know and did not think it made too much difference.

DELEGATE GLEASON: You mean to the former minority group?

DELEGATE PULLEN: I beg your pardon?

DELEGATE GLEASON: You mean to the former minority group now become the majority? I thought this was one of the points of your report, that there was a great feeling with respect to that word.

DELEGATE PULLEN: We had seven, now we have nine, that want to use the word "shall" instead of "may."

DELEGATE GLEASON: I am getting your point slowly. Let me ask one more question. I realize that the delegate cannot speak for all of the members of the majority at this particular time, but would he hazard a guess as to the sentiment of the present majority if this language were restricted a little more severely to provide

that the General Assembly shall provide by law for a state militia and its governor shall be its commander-in-chief—period.

DELEGATE PULLEN: I find no fault with the present language. It is shorter, and is taken from the present Constitution. It has served pretty well and carries out the purpose for which I think we agree. By the way, all nine of us signed this.

THE CHAIRMAN: Are there any further questions of Delegate Pullen for purposes of clarification? Delegate Johnson.

DELEGATE JOHNSON: Mr. Chairman, would it be in order to ask the Chairman of the Minority Report to recite for us the militia provision or militia proposal exactly as the minority has decided it should read.

DELEGATE PULLEN: I intend to present that in the form of an amendment. It is very simple. The word "may" becomes "shall" and the words "adjutant general" are added. Very simple, very easy.

THE CHAIRMAN: Are there any further questions of Delegate Pullen for the purpose of clarification?

*(There was no response.)*

If not, you may return to your seat and the Chair will recognize you for the purpose of submitting an amendment. The Chair recognizes Delegate Pullen.

DELEGATE PULLEN: Mr. Chairman, I would like to present a recommendation for amendment, and I apologize to my colleagues in the minority for my legislative ineptness. All the names should be included on the amendment, but somehow they were left off. I feel a little lonesome. In line 8—

THE CHAIRMAN: If you will send the amendment forward the Clerk will read it.

DELEGATE PULLEN: Yes, sir, the second one, changing the word—I am not sure I am quite proper, Mr. Chairman. If you will correct me and tell me what to do, I will do it.

THE CHAIRMAN: I take it that you are offering Amendment No. 1 to Committee Recommendation GP-1.

DELEGATE PULLEN: And Amendment No. 2.

THE CHAIRMAN: At this time we will take Amendment No. 1. The Clerk will read the amendment.