

without the approval of Congress. I think that for our own protection we ought to spell out the powers of the governor and the powers of the General Assembly in the use of the militia. If we are going to have one, let us know what we are going to do with it.

THE CHAIRMAN: Delegate Chabot.

DELEGATE CHABOT: Mr. Chairman, several of the delegates have indicated that the United States Constitution is exceedingly brief on this subject. I would like to read the provisions from the United States Constitution on the subject:

"To raise and support armies, but no appropriation of money for that use shall be for a longer term than two years; to provide and maintain a navy; to make rules for the government and regulation of land and naval forces; to provide for calling forth the militia; to execute the laws of the Union; suppress insurrection, and repel invasions; to provide for organizing an army and disciplining the militia, and for governing such parts of them as may be employed in the service of the United States, reserving to the states respectively the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress."

I believe that we are not proceeding in greater length or greater detail than the United States Constitution on this particular subject.

THE CHAIRMAN: Delegate Hanson.

DELEGATE HANSON: Mr. Chairman, I rise in support of the amendment. I think that the exercise through which we have just gone illustrates the wisdom of keeping the Constitution in this matter as terse as possible: to provide the essential power, to permit the General Assembly to act, to place the civilian head of government as the commander-in-chief of the militia, and to leave to the legislative representatives and the governor the responsibility for and the power to establish the regulations governing the militia.

THE CHAIRMAN: Is there any further discussion? Delegate Storm.

DELEGATE STORM: Just one comment, Mr. Chairman. Our present Constitutional provision did not prescribe in detail a number of things included in GP-1 as reported. It does seem to me that Delegate Fox's suggested amendment enables us to plan for the future with the militia. We all

understand now what the militia does. The governor sent it down to Cambridge, although the present Constitution did not empower him to do so.

I think this is really detail. Remember that in writing a constitution we will get a star for brevity if we enable it to provide all the necessities, and no more. I believe Delegate Fox has provided for all the necessities.

THE CHAIRMAN: Delegate L. Taylor.

DELEGATE L. TAYLOR: I would like to speak against the amendment by Delegate Fox. I would speak from practical experience. I feel in time of emergency and danger you can not wait for the General Assembly to meet and call out the militia.

I remember an experience a few years ago down in a certain county in Maryland, I will not name the county, where I was involved in a mob of people, and the state troopers came in to save us. As a practical matter, you cannot wait for the General Assembly to save lives.

THE CHAIRMAN: Is there any further discussion?

*(There was no response.)*

Are you ready for the question?

*(Call for the question.)*

The question arises on the adoption of Amendment No. 6 to Committee Recommendation GP-1. A vote Aye is a vote in favor of the amendment. A vote No is a vote against the amendment.

All those in favor, signify by saying Aye; contrary, No. The Noes seem to have it. The Chair is in doubt. A roll call vote. A vote Aye is in favor of the amendment. A vote No, a vote against.

*(Whereupon a roll call vote was taken.)*

THE CHAIRMAN: Has every delegate voted? Does any delegate desire to change his vote?

*(There was no response.)*

The Clerk will record the vote.

There being 39 votes in the affirmative and 94 in the negative, the motion is lost. The amendment is rejected. Delegate Weidemeyer.

DELEGATE WEIDEMEYER: Mr. President, I have Amendment No. 11.

THE CHAIRMAN: Has it been circulated?