

experience in New York and the fact that the Constitution was defeated there by the voters yesterday.

Fortunately New York is not Maryland and Maryland is not New York. I would not attempt to analyze on the information I have why the New York Constitution failed. We all know there was a bitter religious issue which, thank God, I hope will not permeate this Convention.

Beyond that, the New York Constitution failed because it gave the voters a replica of the past. It disillusioned the voters of New York. It made no reform in the judiciary. It made no substantial reform in the division of powers, taxing powers, between the local government and the state government. It made all the possible mistakes that could be made.

Unlike Maryland, they were elected there as Democrats and Republicans and were partisan from the day they formed. They transformed themselves into a junior edition of the New York General Assembly.

This Constitutional Convention has not made those basic mistakes. We were elected on a non-partisan basis, we came here as delegates, obedient only to our own conscience as to what is good for the State of Maryland.

New York made one other great mistake. In giving the voters just a warmed-over version of what they already have, the delegates of the New York Convention failed in the matter of courage and wisdom. They were rightly repudiated by the voters of New York.

I urge my fellow delegates, let us not make that one mistake New York made. Let us in this important respect again be different from New York, just as we came here as non-partisans, just as we came here in a spirit to try to fashion the best possible Constitution, even though we might not agree with all parts of it. Let us once again show New York we have in Maryland what they did not have in their Convention, courage to do the right thing.

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

Delegate Hutchinson.

DELEGATE HUTCHINSON: Mr. Chairman, this body today is comprised of 142 men—and women; I apologize. Mr. Gallagher has spoken on many occasions about the efficiency of his Committee. His Committee has 20 members. I would like

to suggest to Mr. Gallagher that if we would cut the membership of this body, that we would necessarily have to cut the membership of his Committee. I would like to ask Mr. Gallagher, who he would cut if he had to cut individuals.

(Laughter)

I would not like to think that we have placed ourselves on such a high pedestal and we are much superior intellectually to the members of the House of Delegates; to think this body can do an efficient job with 142 members but that our legislative officials can not do a job with 142 members.

THE CHAIRMAN: Does any delegate desire to speak in opposition?

Delegate Gallagher.

DELEGATE GALLAGHER: I would like to make this brief response. You cannot compare a Constitutional Convention to a General Assembly. The General Assembly finds it most helpful to divide itself into committee work, into three segments. You take the total membership and divide by three.

In this Constitutional Convention we have eight substantive areas, and I think if you look at that, it is only natural that we have smaller committees.

I would not cut anybody from my Committee, because I think we have actually had a Committee that represents all points of view; some prevail, some don't. In any event, we have had a full expression of opportunity to speak. We have heard from a great many people. Our size is 20. We are as large as any of the committees of the Constitutional Convention. But the House committees run about 30, and when you get beyond that point, you have trouble.

What I am suggesting is that a realistic committee arrangement in the house really calls for three committees, and the minute you get beyond 30 in any significant degree, you have an unwieldy committee. Therefore, I would submit that the analogy between the House and the Senate considering it as the General Assembly and this Constitutional Convention really is not a good one, and like so many, it limps quite badly.

As I said when I opposed this amendment in the beginning, it would be most unfortunate if through the happenstance of history and reapportionment, and the Court decree which brought us to a figure