

gate Scanlan and Delegate Hanson will be back again in court under the fair representation committee or whatever that honorable body is known as, and the courts are going to say, you are going to have to re-apportion, and we will have to come back to the job all over again. I am looking forward to the future.

THE CHAIRMAN: The question arises on the adoption of Amendment No. 6. Delegate Case?

DELEGATE CASE: Mr. Chairman, I should like to ask two questions. I am not quite sure to whom they should be directed, but I assume Delegate Gallagher. Is this permissible?

THE CHAIRMAN: Proceed.

DELEGATE CASE: Delegate Gallagher, it has been suggested in debate that if we adopt numbers 142 and 43, this will be an inflexible figure. I question, is it more inflexible than the 105-35? Put differently, are we talking numbers in view of the fact we spent all day and had gotten through lines 4, page 2 of your Report?

DELEGATE GALLAGHER: I would say this. Any set of numbers is a number that you are either going to be happy with or unhappy with. The question is, can we justify the numbers that we do adopt? I see very little justification in adopting 142 and 43 because that certainly represents the result of pragmatic, paper-work attempts to fall under the constitutional mandate of one man-one vote, and at the same time not reduce the size of the General Assembly. That was the entire rationale, to lose nobody but to add enough to be constitutional. That was hardly an approach that contemplated what is the best thing for the General Assembly of Maryland insofar as its ability to both represent the people is concerned and to do the job that the legislators are elected to do.

I feel that the 105 and 35 figure is one that has been hammered out, admittedly by compromise, but is a defensible position. I think it would cast little credit upon this body of one hundred forty-two people who came down here to write constitutional law for the long trip, so to speak, to say that what a legislature grabbed in the interest of perpetuating itself at the last moment to get under an election wire ought to be the kind of thing that you enshrine and sanctify and canonize in the Constitution. I think there is a basic difference between the way you approach these two sets of figures. The fact we have only gotten this

far speaks well of this Convention, not ill, because I hate to think we would make these major decisions in the interest of just getting the job out of the way.

THE CHAIRMAN: Delegate Case, do you have another question?

DELEGATE CASE: Mr. Chairman, I suggest what has just happened proves the age old adage, you should never ask an expert a question because he will make a speech.

The question was whether or not there is anything more inflexible in 142 and 43 than in 105 and 35 per se.

DELEGATE GALLAGHER: I think that those double sets of numbers will always form a part of the numbers from one to one thousand. So they are neither more nor less inflexible.

THE CHAIRMAN: Do you have a further question, Delegate Case?

DELEGATE CASE: So that the argument advanced by Delegate Scanlan is inappropriate in this regard.

The second question is this. You have detailed with some degree of force and less degree of light just how the compromise figure of 105 and 35 was arrived at. As I understand it, it was all oriented to the efficiency of the two bodies.

Did you or your Committee at any time in arriving at these figures take into consideration the impact upon the political subdivisions from which the delegates would come? In other words, did you consider the effect on the people of the State as distinguished from the two bodies which you were seeking to construct?

THE CHAIRMAN: Delegate Gallagher.

DELEGATE GALLAGHER: At all times, Delegate Case, we were aware of the fact that we had a double duty. We had a duty to the people of Maryland, and we had a duty to them not only on a representational basis, but to provide them with an effective General Assembly.

We regretted the loss of the identity of the counties as a unit of representation in the General Assembly. We were aware that the Local Government Committee was at work to see to it that as much self-government as possible would take place back in the county. We were further aware that under the one man-one vote rule every citizen of this State regardless of whether he lived in Garrett, Worcester, Baltimore City