

ent and participated in the magnificent performance that he presented for the benefit of this Committee and the Convention as a whole. I want to say that each of us individually and collectively want to go on record to express our pride and gratitude to him.

**THE PRESIDENT:** As a member of that Committee, I join in your statement.

*(Applause.)*

There was distributed on Monday several memoranda prepared by Delegate Finch. There was no comment made. I mention it now so that you will know you have them. Memorandum accompanying Delegate Proposal 270, Delegate Proposal 430 and Delegate Proposal 432. The Report of the Committee of the Whole No. 5, heretofore delivered orally is now available in printed form.

The Clerk will read the report.

**READING CLERK:** Report of the Committee of the Whole No. 5, covers matters in General Order No. 6, a report on Committee Recommendation S&E-1, Power of Referendum, Manner of Referral, Petition Provisions, Legislation Subject to Suspension, Effect of Referendum.

**THE PRESIDENT:** The report has heretofore been referred to the Committee on Style, Drafting and Arrangement. There is attached to the copy of Committee Recommendation S&E-1 so marked as to show all amendments made by the Committee of the Whole, Committee Recommendation R&P-1. The Clerk will read the recommendation.

**READING CLERK:** A Recommendation that the Constitution contain a preamble followed by Article I, a Declaration of Rights, that shall read as follows:

**THE PRESIDENT:** Recommendation R&P-1 is referred to the Committee of the Whole. The recommendation has been printed and distributed.

The Committee memorandum is in the process of being printed and will be distributed as soon as available.

Are there any other motions or resolutions? If not, the Chair recognizes Delegate Powers.

**DELEGATE POWERS:** Mr. President, I move the Convention resolve itself into the Committee of the Whole for the purpose of considering Committee Recommendation JB-1, subject to control and limita-

tation on debate as set forth in Debate Schedule No. 4.

**THE PRESIDENT:** Is the motion seconded?

*(Whereupon, the motion was duly seconded.)*

**THE PRESIDENT:** All in favor signify by saying Aye; contrary, No. The Ayes have it; so ordered.

*(Whereupon, at 2:40 o'clock P.M., the Convention resolved itself into the Committee of the Whole.)*

*(The mace was removed by the Sergeant-at-Arms.)*

**THE CHAIRMAN:** The Committee of the Whole will please come to order.

The matter for consideration is Committee Recommendation JB-1 under terms of Debate Schedule No. 4. The Chair recognizes Delegate Mudd, Chairman of the Committee on Judicial Branch and requests he come forward and present the report.

**DELEGATE MUDD:** Mr. Chairman.

**THE CHAIRMAN:** Delegate Mudd.

**DELEGATE MUDD:** Ladies and gentlemen of the Committee of the Whole:

**THE CHAIRMAN:** Just a second, Delegate Mudd. For what purpose does Delegate Malkus rise?

**DELEGATE MALKUS:** Mr. President, I will ask the Chairman if he will yield to a question.

**THE CHAIRMAN:** I think the proper time for the question, Delegate Malkus, is after the Chairman has presented his report. He has not even started to speak. Do you have a parliamentary inquiry to the Chair?

**DELEGATE MALKUS:** I believe that is in order. Am I not correct?

**THE CHAIRMAN:** Yes, address your parliamentary inquiry to the Chair.

**DELEGATE MALKUS:** Mr. President, since this is certainly the most controversial and biggest issue before this Convention, I was hopeful that the Chairman would do as he does when he is before the Court of Appeals and yield at any time on any subject matter when a judge might ask him a question. We are here today as judges of his report. I know we are limited by time, but I do not think it is enough time. As we go through this article and as