

virile, reapportioned, intelligent, and now for the first time, a new word, visible legislature.

They ask us in this report, and will indeed in subsequent reports, to vest in this new legislature a great and increased power over the legislatures that have existed in this State in the past.

At the same time, ladies and gentlemen of the Convention, they say to us, that this legislature, with these greatly increased powers, should be deprived of that power most crucial to its own welfare, and that is the power to decide its own size.

I have been led to believe, Mr. Chairman, that men entitled to command must first learn to command themselves, and unless the legislature is able to command itself, unless it can be sufficiently mature and responsible to decide its own size, I suggest to you, sir, that perhaps there may be other serious restrictions that need to be imposed on it.

It seems to me illogical, therefore, to say on the one hand, it should have the power to do what needs to be done for Maryland, except it should not have the power to decide its own size.

I suppose the only logical reason why that argument is advanced, certainly there is no other reason in the report, is some kind of an inherent feeling that the legislature in determining its size will not be sufficiently responsible to the needs of the people, but will indeed be responsible only to the needs of the city adjoining the district of each individual legislator. I submit, sir, there is an effective way to start the new constitutionally created, aggressive, reapportioned legislature. We should vest with them our vote of confidence that they will be able to rise above the petty indirection of their own body and decide what their own proper size should be.

It is conceded by the majority spokesman that there is no magic in numbers. It is conceded by the other persons who have spoken that there is no ideal size. We are not talking about a Senate of Rome. We are not talking about a senate, the precise specifications of which can properly be written.

Say what you will, the last word on *Baker v. Carr* and its companion cases has not been said. No major, sweeping constitutional revision as fundamental as this one has been released in its present posture. As our cases are presented, I sug-

gest that amendments and refinements will take place. All that we of the small counties ask is that the Constitution of Maryland be left in a sufficiently flexible position to permit us, as the court decided that one man-one vote needs to be refined, to be able to take advantage of those refinements.

I suggest further that there is a tendency on the part of all of us sometimes to use cliches instead of thought, and I suggest that when we mention the term, "one man-one vote," we sometimes tend to stop thinking. Fair, equitable and just representation is the requirement for the people of Maryland. One man-one vote is a keystone of that fair and just and equitable representation. It is not, however, the only element, as is pointed out in both the Eney Commission Report and by other people who have spoken to this group. At least leave to us the flexibility so that the future may determine what is fair and just. Do not impose rigid restrictions now, without having had the evidence before you. The Committee concedes that it has not even attempted to translate its formula into districts or regions or boundaries—Let that be done where indeed it should be, in the legislative halls of this body.

We are suffering the shrinking pains of reapportionment, and those pains for us are real. Many of you are suffering the growing pains of urbanization, and for you they, too, are real. If we structure our state government in a sufficiently flexible manner, the shrinking pains of reapportionment and the growing pains of urbanization can find mutual solutions to their problems. I say to you in all candor, that in the halls of this body, we have had here only a limited time for debate, and inadequate time to present to you the many injustices that will be brought about in terms of adequate, fair and equitable representation of the people of this State by the formula which is proposed by the majority; do not force that on us. Leave us at least the dignity to come before this body at the appropriate time, after the facts are before us, to argue our case. Leave it with the legislature. Under one man-one vote, there is no question where residual power of the legislature will be. We are prepared to trust that residual power. We do not want to have our rights, however, foreclosed by this kind of a constitutional limitation.

I urge that the legislative proposal now before you gives the maximum flexibility, gives the maximum opportunity to create