

fair, just and equitable representation for all people. That we ask. I urge you seriously consider leaving this matter where it properly should be, with your majority elected representatives.

THE CHAIRMAN: Delegate Gallagher.

DELEGATE GALLAGHER: Mr. Chairman, and ladies and gentlemen of the Committee: I want to say that what I have to say at this time is my personal point of view, as well as that of the majority of the Committee. I take pride in the work of our Committee, and I do not at any point, having been a member of it, seek to debate it or to belittle it or to deride it. I am grateful to the members of my Committee who worked many hours and put in many sessions to come to the conclusions that you have before you. I think the majority of the Committee knows that a great deal of thought and interest went into what we did.

I am not one to belittle compromise, nor am I one to suggest that you take the federal plan and impose it upon the State of Maryland. I think there is enough individuality left in Maryland and enough of the sovereign spirit to have us go on our own way without having a little House of Representatives and a little Senate imposed upon us from elsewhere. I am glad that we have a federal government, and I like a great many of the things this does, but I do not think we have to do it the same way, and I am not so enamoured of the outline and the structure of the federal government that I believe it has to be duplicated in fifty states in the union. Maryland has had a way, it has had a tradition, and I suggest that we ought to consider it and consider its value. I am proud of the Committee, I am proud of its work, and I thank them all.

Now, turning to the problem we had before us; this is not a question of a small county versus a big county fight. This is a question of deciding whether we want some minimum efficiency in government. If we do, we must realize that with what this amendment would have us do, there would be no limitation upon the size of the General Assembly. There could not be a hall big enough in the City of Annapolis to hold the people who would come into this General Assembly, and we would have chaos and an unwieldy state government.

Now, the truth of the matter is that never in the history of the State of Maryland have we adopted the principle which this amendment seeks to impose upon us

today. In the Constitution of 1776, there were specifically fifteen senators provided for, and four delegates from each county: two from Annapolis, two from the City of Baltimore. In the 1845 Constitution, there was a minimum of sixty-five and a maximum of one senator from each county, or twenty-one. In the 1864 Constitution again there was a senate of twenty-one, with three additional from the Baltimore legislative districts, and an original House size set at eighty in the Constitution with a sliding scale, which if every county had achieved the maximum could have gone to a figure of one hundred sixty-eight.

Under the 1867 Constitution, again, there was one senator per legislative district and county, and the House initially set at eighty-six members. Under the sliding scale it was possible, with the addition of Howard County in 1851, and Garrett in 1872, to go to one hundred seventy-four members, but this we did not do because by constitutional amendment it was frozen at one hundred twenty-three in 1950, until the nineteen members were added to the House in 1962 and the additional fourteen members were added to the Senate.

I say to this house that we have a tradition of setting at least scales which will provide maximum limitations, and I say in all candor that the other forty-eight states of the union do likewise; and only Montana allows both the size of the House and the Senate to be set by law, regardless of the testimony that you have heard here today.

Now, ladies and gentlemen of the Committee of the Whole, we had seven members, either present or formerly of the General Assembly, on the Committee of the Legislative Branch, and these people are experienced, and we heard from a great many members of the legislature; and I tell you unequivocally that it was the request of the members of the legislature, by and large, that we set the limit in the Constitution; that we provide that there be some maximum, and by and large most of them said, virtually without exception, that the House was too large.

This is not a question of pure rampant democracy. This is a question of trying to balance representative government with efficient government, and as I said yesterday, somewhere there is a happy medium. But I tell you there is no happy medium out there in the sky, because what has experience proven here in Maryland? It has proven that when reapportionment required the application of the one man-one vote principle, the Senate was increased in