

1 under our present Constitution the act which required
2 all public utilities to put their lines underground
3 were passed as an emergency measure, it would go into
4 effect immediately, and just exactly what you are saying
5 can happen under the present Constitution.

6 JUDGE ADKINS: You are making an assumption
7 that I don't necessarily accept and that is the Legisla-
8 ture would pass such a law.

9 MR. CASE: Under the amended motion, we have
10 before us that puts it right to you because then you
11 would.

12 JUDGE ADKINS: Three-fifths.

13 MR. CASE: That is right.

14 MR. SCANLAN: Under Mr. Case's amendment,
15 against it, though I am for it, the possibility that
16 three-fifths of the Legislature, on some occasion, would
17 pass a truly arbitrary, capricious law that would be
18 rejected by majority of the people of Maryland when
19 they got a crack at it a year or two later, against
20 all proven experience that the referendum nine times
21 out of ten has been used by a minority of the people of