

would have ample time to do all of that, and all that Delegate Schneider suggested. The question is, would he? I do not know.

THE CHAIRMAN: Delegate Taylor, any further questions?

DELEGATE L. TAYLOR: In your studies of the system in the State of Maryland, have you made any type of consideration of the political effect in electing judges, for instance, in, say, the City of Baltimore? Do you feel you get real qualified judges in the election of judges in the City of Baltimore?

DELEGATE JOHNSON: Yes, I think we have an outstanding bench in Baltimore City. I can only think of two occasions in the last thirty-five or forty years, one on the supreme bench level, one on the municipal court level, where a judge was elected to the bench rather than having first been appointed.

THE CHAIRMAN: Delegate Taylor, further questions?

DELEGATE L. TAYLOR: If you were being considered as a candidate for a judgeship, would you prefer to run, or would you like to be put on the list? Would you prefer to run?

THE CHAIRMAN: Delegate Johnson.

DELEGATE JOHNSON: If I were a judge or if I were a candidate for judge there is absolutely no question in my mind that I would prefer to be appointed from a nominating commission and I would prefer to run in a non-competitive election. But that is why I oppose it, because that is exactly what I would prefer to do.

THE CHAIRMAN: Delegate Taylor, do you have any further questions?

DELEGATE L. TAYLOR: No, sir.

THE CHAIRMAN: Are there any further questions from anyone else?

Delegate Byrnes.

DELEGATE BYRNES: Delegate Johnson, referring to the municipal court election you spoke of, what is generally considered to be reason for the incumbent judge losing that election?

DELEGATE JOHNSON: I am very sorry, Delegate Byrnes. Would you repeat the question?

DELEGATE BYRNES: Referring to that municipal court election, you commented on, what is the generally considered,

accepted reason for the loss sustained by the incumbent judge.

Would I be correct in suggesting because his name began with a "W"?

THE CHAIRMAN: Delegate Johnson.

DELEGATE JOHNSON: I have heard that comment. I think that it is supportable. I might also add in that particular election there were something like five or six or perhaps more incumbents running, a very unusual municipal court election. It was thought that the judge who lost, who of course was subsequently reappointed to the bench, did lose because there were so many candidates, which is very unlikely to occur again, and his name was so far down the ballot.

I might also add that the same candidate, after he was appointed the second time, did not change his name, ran and led the ticket.

THE CHAIRMAN: Delegate Byrnes.

DELEGATE BYRNES: May I ask this final question? If you did not suggest to the Committee of the Whole that we retain either the nominating commission system for the trial court level or the lawyer poll, would you suggest to us how the people can make the judgments we think are necessary for selecting judges?

THE CHAIRMAN: Delegate Johnson.

DELEGATE JOHNSON: I think the people will make the judgment with respect to their judges the exact same way they do when they elect their legislature, their congressmen, their senators, their governors, and the President of the United States. Those who want to take the time to study the qualifications and study the endorsements of the various candidates, want to find out which one is the better man, will make an intelligent decision. Those who choose not to look into the matter will make a less intelligent decision; but I maintain that that is their right, to make either an intelligent decision or a non-intelligent decision.

THE CHAIRMAN: Are there any further questions?

Delegate Bradshaw has a question.

DELEGATE BRADSHAW: Mr. Chairman, I would like to ask Delegate Johnson a question.

So that I may have a clear understanding of what you are proposing, may I ask you this question?