

he would have to re-register in the other county or come back to the county where he was appointed judge to vote. I think this points up the desirability of having such amendment.

THE CHAIRMAN: Does any other delegate desire to speak in opposition?

Delegate Rosenstock.

DELEGATE ROSENSTOCK: I rise to oppose this amendment of my fellow delegate because under the first eleven sections we speak of a resident judge on a circuit level. In the amendment it will be a resident judge in district court in each county. You cannot be a carpetbagger and still be a resident judge in the county. You would lose your eligibility, as I see it, if you slipped in to be appointed and then slipped out to serve as judge. Therefore, it seems to be a superfluous amendment.

THE CHAIRMAN: Does any other delegate desire to speak in favor of the amendment?

Delegate Harkness.

DELEGATE HARKNESS: I do not desire to speak in favor of it or against, but I think the Convention has not been given correct information about registering. If a registered voter of Baltimore County moves to Baltimore City, all he has to do is get a transfer, and if the transfer is effective and the election is the next day, he is perfectly eligible to vote in Baltimore City. He then would lose his eligibility to vote in Baltimore County.

Once you register in one jurisdiction and you move to another jurisdiction there is no time limit on how long you have to reside there.

THE CHAIRMAN: Delegate Chabot.

DELEGATE CHABOT: I would like to ask Mr. Mudd a question.

THE CHAIRMAN: Do you yield for a question?

DELEGATE MUDD: Yes.

DELEGATE CHABOT: Do I understand that the Committee intended that residence and residents as used in this article would have the same meaning as used in regard to the qualification of voters?

THE CHAIRMAN: Delegate Mudd.

DELEGATE MUDD: I have no better definition to offer. We do not define it

here. It is as defined in the Constitution. I assume that that would be persuasive in defining it here.

THE CHAIRMAN: Is there any further question?

DELEGATE CHABOT: No, but may I speak in opposition to the amendment?

THE CHAIRMAN: You may.

DELEGATE CHABOT: As I understand the case law thus referred to including the reference to a case in which at least two of the delegates here had been attorneys, for the purpose of voting and for holding office at least residence includes the concept of domicile, the concept that you are not simply physically in a place, but you are in a place with the idea of staying there for the indefinite future or for a substantial period of time at the very least.

Consequently, if that definition carries over here, unless the General Assembly changes the definition, the idea of moving across the county line in order to accept a judgeship and moving back would be a strong indication that one had never accepted or never achieved a residence in the place from which he was to be appointed. Without this amendment, one would be ineligible for an appointment in the place that he had moved to and stayed for a very short period of time. With the amendment, as Delegate Hanson has so well pointed out, the situation would be unchanged because in order to register in the place to which one has moved, one merely has to live there for three months prior to the day of election; not prior to the date of registration.

Consequently a person would be able to move across the county line and if he were a bona fide resident of the new county could register the very next day and satisfy the requirement of this amendment without in any way satisfying the objectives of the movers of the amendment.

I, therefore, urge you to vote against the amendment.

THE CHAIRMAN: Is there any further discussion?

*(There was no response.)*

Are you ready for the question?

*(Call for the question.)*

The question arises on the first question under Amendment No. 22, this is the por-