

Secondly, it puts an unnecessary limitation on the governor, which I do not think is warranted. In the third place, it makes a judgeship in this area a far more difficult thing to aspire to, if only five people are eligible for a particular vacancy.

I believe this amendment would alleviate some of the fear and trepidation that people have about this whole plan, and the limitation on the governor.

I frankly think that this does not defeat your program, Delegate Mudd. I am all in favor of it, but I do believe it provides in heavily populated areas a little bit more leniency, a little bit more freedom of choice, a little bit more ability to aspire to the judgeships. I frankly would hope that you will adopt the amendment.

THE CHAIRMAN: Delegate Mudd.

DELEGATE MUDD: Mr. Chairman, I rise reluctantly to oppose the amendment here proposed by my good friends Kiefer and Dukes. However, we are now playing the game of numbers again.

I feel the spirit in which this amendment was offered and the purpose it is intended to accomplish is laudable. The matter was discussed in our Committee, and though we did not get as high as number ten, we did discuss the numbers two to seven, or seven as a maximum on the list, and that apparently was discussed at some length. My notes show that a proposal or motion made in our Committee to make the list not less than two and not more than seven received only two votes. There were 13 votes against it, and four abstaining.

Accordingly, I can assure the members of the Committee of the Whole that we did consider the advisability of enlarging the number and for the very reasons suggested by Delegate Kiefer, but it was our conclusion, by majority vote, that the number five allowed for the latitude that we felt was necessary under these proposals and overall recommendation.

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

Does any other delegate desire to speak in opposition?

Are you ready for the question? The Clerk will sound the quorum bell.

The question arises on the adoption of Amendment No. 29. A vote Aye is a vote in favor of the amendment. A vote No is a vote against.

Cast your votes.

THE CHAIRMAN: Has every delegate cast his vote?

Does any delegate desire to change his vote?

The Clerk will record the vote.

THE CHAIRMAN: There being 42 votes in the affirmative and 75 in the negative, the motion is lost. The amendment fails.

Are there any other amendments to section 5.14? Are there any amendments to section 5.14? Delegate Beatrice Miller.

DELEGATE B. MILLER: Mr. Chairman, I have an amendment to section 5.14 which I gave about five minutes ago to the Clerk.

THE CHAIRMAN: It has not been printed then, if it was just five minutes ago. We will pass on to section 5.15 and come back to it.

Delegate Gleason.

DELEGATE GLEASON: Mr. Chairman, I have an amendment to section 5.14 which should be on your desk.

THE CHAIRMAN: Do you have it, Mr. Clerk?

READING CLERK: No, sir.

THE CHAIRMAN: How long ago was it printed? Was it before today or in the past half-hour?

DELEGATE GLEASON: It was submitted immediately after we adjourned, after dinner.

THE CHAIRMAN: We will check up on it.

We still have a good many amendments. The Chair would like to finish this section of the article this evening. We will proceed to section 5.15 and come back to 5.14.

Amendment CI. The pages will please distribute it. Delegate Chabot, do you still desire to offer the amendment?

DELEGATE CHABOT: No.

THE CHAIRMAN: Do not distribute it. Any delegates who have passed up amendments to the Clerk and no longer desire to offer them, would you please notify the Clerk?

Delegate Fornos, do you still desire to offer your amendment AD?

DELEGATE FORNOS: Yes, sir.