

Delegate Johnson.

DELEGATE JOHNSON: Mr. Chairman, I wonder if delegates Marvin Smith, John Hargrove and Marion would yield for a quick question?

THE CHAIRMAN: Which one do you want?

DELEGATE JOHNSON: Well, each.

THE CHAIRMAN: You pick them.

DELEGATE JOHNSON: Delegate Marvin Smith.

THE CHAIRMAN: Delegate Smith, do you yield to a question?

DELEGATE M. SMITH: Certainly.

THE CHAIRMAN: Delegate Johnson.

DELEGATE JOHNSON: I am just a little confused. Did you not speak in favor of the entire Majority Report when opposing the previous Minority Report we just dealt with?

DELEGATE M. SMITH: I do not know. I had a debate coach in college who said whenever someone says something is always true or never true or everybody believes or nobody believes, you can start looking around because they are wrong.

DELEGATE JOHNSON: Do you stand on your previous statements as recorded?

THE CHAIRMAN: Delegate Smith.

DELEGATE M. SMITH: I think I made myself very clear. I was definitely opposed to the idea of having the district court clerks put into the lap of the General Assembly. I have wrestled with the current situation and I have concluded that what my friend said in the letter which I read correctly states the situation, that the court should have control of its clerk.

THE CHAIRMAN: Delegate Johnson.

DELEGATE JOHNSON: Would Delegate Marion yield to a question?

THE CHAIRMAN: Would Delegate Marion yield to a question?

DELEGATE MARION: Yes, sir.

THE CHAIRMAN: Delegate Johnson.

DELEGATE JOHNSON: Did you speak in favor of the Majority Report when opposing the previous Minority Report when dealing with the amendment we just dealt with?

THE CHAIRMAN: Delegate Marion.

DELEGATE MARION: I do not think so. I think I spoke against the amendment, and I am in favor of this one. I think my statements as to both are consistent.

THE CHAIRMAN: Delegate Johnson.

DELEGATE JOHNSON: Would I be correct in finding you stand on both statements and find they are not inconsistent?

THE CHAIRMAN: Delegate Marion.

DELEGATE MARION: Having made those statements I feel I am impelled to stand on them.

THE CHAIRMAN: Delegate Johnson.

DELEGATE JOHNSON: Would Delegate Hargrove yield to a question?

THE CHAIRMAN: Delegate Hargrove, would you yield to a question?

DELEGATE HARGROVE: Yes.

THE CHAIRMAN: Delegate Johnson.

DELEGATE JOHNSON: Did you not speak in favor of the entire majority report with respect to clerks of the court when you opposed the previous minority report recommendation and the amendment previously acted upon?

DELEGATE HARGROVE: I do not believe I did. I believe my remarks were limited primarily to the present function of the judges as they relate to the appointment of clerks and I was particularly concerned with the district court clerks being appointed by the General Assembly.

I do not believe I am being inconsistent. I believe our Minority Report was in long before this.

THE CHAIRMAN: Delegate Johnson.

DELEGATE JOHNSON: Do you also stand on the previous remarks that you made with respect to opposition to the previous Minority Report?

THE CHAIRMAN: Delegate Hargrove.

DELEGATE HARGROVE: I do not think they are inconsistent. I will certainly stand on it.

THE CHAIRMAN: Delegate Bothe.

DELEGATE BOTHE: I rise to speak in favor of the amendment.

I served on the Commission, his Judiciary Committee so I cannot claim to have done much soul-searching in reaching the conclusion that the clerks of the Superior