

compromise. It is a right that the citizens of Maryland have had since the beginning of the founding of this State, practically, and certainly since the beginning of constitutional law in this State. I sincerely urge you to adopt this amendment.

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

Delegate Sherbow.

DELEGATE SHERBOW: Ladies and gentlemen, I urge you to vote against this amendment. All I can say is they now put in the right of removal in equity cases, which as a practical, and I emphasize practical matter, is not done today.

If you have ever been in any court on the days when there are matters affecting domestic relations, divorces, support, matters like that, it is one of the saddest areas of anybody's experience, and this amendment would make a shambles of it because a husband with money can provide for a removal and a wife who is anxious to force her husband to pay extraordinary additional expenses can force a removal. What you are doing here is making sure that the orderly processes of government insofar as the judiciary is concerned, will be extended to provide one more area for delay.

This is not right, and I urge you to vote against this amendment.

THE CHAIRMAN: Does any other delegate desire to speak in favor of the amendment? Delegate Weidemeyer, do you yield to a question from Delegate Mason?

DELEGATE WEIDEMEYER: Yes.

THE CHAIRMAN: Delegate Mason.

DELEGATE MASON: Delegate Weidemeyer, at line 9, do the words "shall be removed" mean removal to another court within the county or removal to a court outside the county?

THE CHAIRMAN: Delegate Weidemeyer.

DELEGATE WEIDEMEYER: We left the word "to another county" out because it could be removed to another county or as in Baltimore City where there are twelve courts, they could remove it to one of the other courts right in Baltimore City. If a person felt he could not have a fair and impartial trial before a certain judge, he could file an affidavit and under this we felt he could move it right to another court within the same jurisdiction.

THE CHAIRMAN: For what purpose does Delegate Sherbow rise?

DELEGATE SHERBOW: Will Delegate Weidemeyer yield to another question?

THE CHAIRMAN: Will Delegate Weidemeyer yield to another question?

DELEGATE WEIDEMEYER: Yes.

THE CHAIRMAN: Delegate Sherbow.

DELEGATE SHERBOW: Is it not true under our procedure that there will be only one superior court in Baltimore City? If you want to provide what you are talking about, would it not require that there be the right of removal from a judge, or from a jury? We will only have the superior court and we will only have the district court, so would what you seek then not occur under those circumstances?

THE CHAIRMAN: Delegate Weidemeyer.

DELEGATE WEIDEMEYER: Still it is true you have ten or twelve or more judges up there and it could well be removed under this language, we feel, to another judge right in that same superior court.

Now if it is a question of not being able to get a fair and impartial trial in that jurisdiction, of course, then, I would think that the judge or the attorney would ask for it to be removed from Baltimore City to another county. If the atmosphere were so hostile on a particular issue in Baltimore City that the case could not be removed satisfactorily to another judge in Baltimore City, of course, this language is broad enough to allow him to remove to another county.

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

Delegate Marvin Anderson, do you desire to speak in opposition?

DELEGATE ANDERSON: I desire to ask Delegate Weidemeyer whether he will accept an amendment.

THE CHAIRMAN: State the amendment.

DELEGATE ANDERSON: Eliminating the word, "equity" and —

THE CHAIRMAN: What line, Delegate Anderson, line 9?

DELEGATE ANDERSON: On line 9, eliminate the word "equity" and in line 15 make it read, "this right shall not apply to condemnation cases, equity cases, or divorce cases."

THE CHAIRMAN: Delegate Anderson, would you need divorce cases if you said equity cases?

DELEGATE ANDERSON: Well, probably not. They keep them on a separate