

ministration of justice throughout the country and causes the public to lose confidence in it. It seems to me that if we pass this amendment we will greatly enhance the confidence of the public in the administration of justice and in our whole judicial system.

I hope the amendment will pass.

THE PRESIDENT: Delegate Mason.

DELEGATE MASON: Mr. Chairman, I rise, reluctantly, to oppose this amendment. I appreciate the purposes for which Delegate Byrnes sponsored this amendment, but I do not think it will accomplish the purposes. The fact that you make the office non-partisan certainly would not take politics out of running for state's attorney.

Now, it is a fact that in this State we only have about four or five full time state's attorneys, and as I understand, in some counties you have to even draft state's attorneys, and you have to go to another county in some counties to become a state's attorney. So I think, with the exception of four or five counties, including Baltimore City, there are not too many candidates for the office of state's attorney.

Also, I do not think it should be in the constitution, because we have mandated in the constitution what should take place in the primary elections, and I think primary elections are party elections and nothing should be designated in the constitution about primary elections.

THE PRESIDENT: Delegate Clagett.

DELEGATE CLAGETT: Mr. President, would Delegate Byrnes yield to a question?

THE PRESIDENT: Delegate Byrnes, will you yield for a question?

DELEGATE BYRNES: Yes.

THE PRESIDENT: This is the second time you take the floor, and the last on this question.

DELEGATE CLAGETT: Delegate Byrnes, in lieu of your amendment, would you accept in line 34, after the article "the" which heads the sentence, "method of election"?

THE PRESIDENT: Delegate Clagett, your last comment was not heard.

DELEGATE CLAGETT: Insert the word "this" in line 34.

THE PRESIDENT: The Chair is lost.

Are you referring to page 13 or to the amendment, now?

DELEGATE CLAGETT: Page 13, section 4.34, the caption is "state's attorney".

THE PRESIDENT: And in line 34—

DELEGATE CLAGETT: After the article "The" which begins the sentence on that line, insert after the article "the" the words "method of election,".

THE PRESIDENT: This is not an amendment of the existing amendment at all, as I understand it.

DELEGATE CLAGETT: I am asking whether he would accept that amendment in lieu of his amendment.

THE PRESIDENT: Very well.

Delegate Byrnes.

DELEGATE BYRNES: I think the phrase in line 36, "all other matters", would probably include what you are seeking to suggest.

THE PRESIDENT: I take it you are saying No?

DELEGATE BYRNES: I would have to say No.

THE PRESIDENT: Thank you.

Delegate Rybczynski.

DELEGATE RYBCZYNSKI: I think we all heard the discussion during the judiciary section as to the problems with cross filing. As I remember, there were many speakers, probably including Delegate Byrnes, who told us then of the evils attached to cross filing, that the judge candidates are forced to deal with various political leaders, not just on one side, but, as a matter of fact, on both sides. They have to make all sorts of promises to do favors, and I do not think I have to repeat all of the problems that were presented by the very same people dealing with the very same problem, but on another topic.

I would strongly suggest to the delegates here that cross filing would not take anything out of politics, but rather using the same argument, if they want to do it completely, they will have to do it by way of commissioners.

I strongly suggest that we defeat this amendment.

THE PRESIDENT: Delegate Grumbacher.

DELEGATE GRUMBACHER: Out of sympathy for Judge Powers' pocket, I move the previous question.