

vention made a decision to permit the legislature to determine the distribution of judicial functions among the four tier courts. We determined that that was a legislative function. This suggested amendment would be contrary to our previous determination to let the legislature make the decision as to what courts did what. This amendment would have the purpose of forcing the orphan's court functions into the superior court.

The legislature may very well decide to do that; but we have made the decision not to try to interfere with what the legislature does in this respect. I therefore urge that you defeat this amendment, bearing in mind that the legislature may act this way and probably will; but it is not our purpose to force their hand.

THE CHAIRMAN: Is there any further discussion?

Are you ready for the question?

*(Call for the question.)*

The Clerk will ring the quorum bell.

The question arises on the adoption of Amendment No. 15 to Committee Recommendation GP-13. A vote Aye is a vote in favor of the amendment. A vote No is a vote against.

Cast your vote.

Has every delegate voted? Does any delegate desire to change his vote?

*(There was no response.)*

The Clerk will record the vote.

There being 26 votes in the affirmative and 68 in the negative, the motion is lost and the amendment is rejected.

Delegate Chabot.

DELEGATE CHABOT: Mr. Chairman, I have risen many times for many purposes, but this is the first and only time I have risen on a point of personal privilege.

THE CHAIRMAN: State the privilege.

DELEGATE CHABOT: In the gallery facing the Chair is my wife, Aleen; by now you must all appreciate her patience and understanding.

*(Laughter and applause.)*

You have endured me for four months, and she has endured me for more than sixteen years.

I ask the Convention to give her its warm and friendly greetings.

*(Applause.)*

THE CHAIRMAN: Delegate Hodge Smith.

DELEGATE J. H. SMITH: Personal privilege, Mr. Chairman.

THE CHAIRMAN: State the privilege.

DELEGATE J. H. SMITH: In the balcony over the Chairman's head is the editor of the Montgomery County *Sentinel*, and an advocate of good government, Mr. Roger Farquhar. I hope we will welcome him.

*(Applause.)*

THE CHAIRMAN: Delegate James Clark.

DELEGATE J. CLARK: A point of personal privilege, Mr. Chairman.

THE CHAIRMAN: State the privilege.

DELEGATE J. CLARK: Over in the corner here at the press table is my sister-in-law, Mrs. Louise Hawkins, who is also editor of the *Maryland News*. I hope we would extend to her a warm welcome.

*(Applause.)*

THE CHAIRMAN: Delegate Rush.

DELEGATE RUSH: Yesterday there was a letter sent to our governor:

"Your Excellency:

"It has been brought to my attention that in the entire history of the State of Maryland here has never been appointed to the supreme bench level or the appellate court level a judge of Polish name and descent, nor has there been a similar appointment from the First District of Baltimore City.

"I suggest that you have an excellent opportunity to correct this failure on the part of past governors of this great Free State by appointing a Pole from the First District to the Supreme Bench of Baltimore City.

"My personal recommendation is Edward B. Rybczynski who has been my seat-mate here in the 1967 Constitutional Convention of Maryland.

"Information I have received from my close, personal friends of Baltimore City is that he would fulfill the office of judge with dignity and honor.

"Hoping to hear from you on this matter, I am

"Respectfully yours,

"William Rush."