

amendment in such a way that it would not be the same as one of the others. I am not encouraging you to do so. I do not want to shut you off.

Delegate Grant.

DELEGATE GRANT: I would suggest in that case that if you would give leave to come back to this section at a later time, that an amendment will be suitably drafted without taking up time for debate to draft it on the floor.

THE CHAIRMAN: Is Amendment No. 18 then withdrawn?

DELEGATE GRANT: I withdraw the amendment.

THE CHAIRMAN: Amendment No. 18 is withdrawn. Just tear it up. We will do away with the number, too.

Are there any other amendments to section 5.11?

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Delegate Malkus, do you desire to offer your amendment to section 5.10?

DELEGATE MALKUS: Mr. President, I thank you for your patience.

I have an amendment to 5.10, which will do this: —

THE CHAIRMAN: Just a moment. The pages will please distribute Amendment AW. This will be numbered Amendment No. 18.

The Clerk will read the amendment.

READING CLERK: Amendment No. 18 to Committee Recommendation JB-1 by Delegate Malkus: on page 3 section 5.10 Composition of District Court in line 36 strike out the word "district" and insert in lieu thereof the word "county"; and in lines 36 through 39, inclusive, strike out the following sentence "In any district containing more than one county, a District Court judge shall sit regularly in each county."

THE CHAIRMAN: Is the amendment seconded?

*(Whereupon, the amendment was duly seconded.)*

THE CHAIRMAN: The amendment having been seconded, the Chair recognizes Delegate Malkus to speak to the amendment.

DELEGATE MALKUS: Mr. President, Members of the Convention, I will be brief.

All that this amendment does is it guarantees to each county a resident district judge. By your previous action you have guaranteed that they will have a resident superior court judge.

I have just finished talking to probably the second most important state's attorney in the State of Maryland, John Sanford. He has more problems than anyone else, with the exception of my good friend from Baltimore City, and he said it is absolutely imperative that there be a guarantee that areas such as Worcester County would have a resident district court judge.

Now, I believe that most of us who come before a court come before the trial magistrates or people's courts, which will soon be known as district courts, and this is all my amendment does.

If the wording is not right, I will submit to any change, but it was written by Mr. Lee Benson, who I believe knows the subject matter very well.

In closing, the amendment guarantees that every county shall have a district judge, just as your previous action guaranteed that they will have a superior court judge.

THE CHAIRMAN: The Chair recognizes Delegate Mudd.

DELEGATE MUDD: Mr. Chairman, ladies and gentlemen of the Committee of the Whole: I rise to oppose this amendment. It may appear for a strange reason, but it is to leave this matter with the legislature, in its wisdom to determine whether the requirement advanced by Delegate Malkus is necessary, and if so, that it be accomplished in the legislature where the power to create districts is vested by the Committee Recommendation.

May I briefly call your attention to the facts and figures contained in the very able report of the Case Commission referred to yesterday by our distinguished Delegate, Dick Case, and which exhaustively investigated the judicial processes in Maryland some time ago.

That report contains a wealth of facts and figures as to the caseload in the various political subdivisions of the counties. There is a constant change in the trend in various areas of the State.

It occurred to us that at this particular time, particularly in view of the light caseload before the courts of limited jurisdiction, and the fact that a great number of