

DELEGATE GALLAGHER: Assuming six members of the bar in Garrett County, if you should be fortunate enough to get one member of the Court of Appeals, one circuit court judge, one district judge and one commissioner, is it not true that you will be reduced to two practicing members of the bar in Garrett County?

THE CHAIRMAN: Delegate Grant?

DELEGATE GRANT: This is the reason I said that I was most reluctant. I might point out that the summertime population rises to 56,000 people, when we have all the people up there to enjoy the cool weather and not the six inches of snow we have now, and that with one judge representing 23,000 or 28,000 people and one attorney representing the other 28,000 people it would be quite a day.

THE CHAIRMAN: Delegate Gallagher.

DELEGATE GALLAGHER: One further question, Mr. Chairman. In view of the fact that the Court of Appeals has sworn in this morning a new crop of young lawyers, how is the health of the six in Garrett County?

DELEGATE GRANT: We can always stand some help.

THE CHAIRMAN: Is there any further discussion?

Delegate Pullen.

DELEGATE PULLEN: May I ask Delegate Grant a question?

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

DELEGATE GRANT: Yes, indeed.

THE CHAIRMAN: Delegate Pullen.

DELEGATE PULLEN: I am disturbed by the unanimity among lawyers. It is not very healthy. I am very serious about this question: is it correct that a person involved in a traffic violation at Red House, which I know very well, would have to go all the way to Cumberland to be tried?

THE CHAIRMAN: Delegate Grant?

DELEGATE GRANT: That is correct. We actually now have a trial magistrate who sits seven days a week, correction, six days a week and normally in a traffic violation he is brought over a distance of about 18 miles for trial. Without this facility, assuming a man bound for California or someplace and you did not have a district court where he could be tried, then it would

simply be a matter of having him taken to Cumberland and it is a 70 mile trip. Cumberland is the logical place to put a district court if you are to calculate by work load, because you would have to indicate the heavy work load would be in Allegany County, which has 80,000 people as opposed to Garrett County, which has only 20,000.

THE CHAIRMAN: Delegate Pullen.

DELEGATE PULLEN: I have one other question, sir. I am quite familiar with the geography and the people of Garrett County, but the thing that bothers me is, is it possible under this provision for the court to sit sufficiently in, say, Oakland, which is the center of the county? These are two, simple, fundamental facts that we ought to know before we vote.

THE CHAIRMAN: Delegate Grant.

DELEGATE GRANT: I think you are quite correct. If you recall yesterday I addressed a question to Delegate Mudd, and asked him essentially if it was his intention that the court would sit regularly in the county. He indicated that there had been a county clerk provided, and he presumed that the court would sit there regularly.

I also asked him relative to the translation, if it would be possible for the superior court judge to sit in this court. He indicated that this would also be possible. However, I do point out to you that if for some reason or other the superior court judge were in some other part of the State on an assignment, that it probably would be necessary to take the man to Cumberland, unless that happened to be the day that the district court judge was sitting in Garrett County.

This would particularly be so because it would not be possible to appoint a commissioner to hear this type of case under the action taken by the Committee of the Whole this morning.

THE CHAIRMAN: Are you ready for the question?

*(Call for the question.)*

The question arises on the adoption of Amendment No. 18. Delegate Malkus.

DELEGATE MALKUS: May I say one thing in closing?

THE CHAIRMAN: You may.

DELEGATE MALKUS: I doubt seriously that what I am going to say will have any effect on any of your votes, but