

additional function, the court would still have jurisdiction over it with regard to the rule. In that way it does not get out of hand at all, it seems to me.

THE CHAIRMAN: Delegate Henderson.

DELEGATE HENDERSON: Mr. Chairman, I would like to point out something in support of the Commission's proposal and against adoption of this amendment. It was the majority of the Committee's thought in this matter that this new court system, at the lowest level, would be put on a thoroughly professional basis, and it was conceived that while at the present time and in some local areas a commissioner might be necessary to handle these matters of bail and release and things of that sort, that ultimately this would be handled entirely as a judicial function. Perhaps these commissioners would blow away in the end, as magistrates have indeed in many parts of the state.

We have adopted an amendment which puts the full-time man, a district judge in every county, so that the need for these commissioners is still further minimized, and the concept of an untrained layman handling the duties in order to be on the job and relieve the district judge will be still less necessary than at the present time.

So I feel that this amendment should be defeated. We are trying to put the whole administration of judges on a thoroughly professional basis; if so, this device of the commissioner is simply to meet a practical situation with the hope that in the end it would all be professional.

THE CHAIRMAN: Are you ready for the question?

*(Call for the question.)*

The Clerk will sound the quorum bell. The question arises on the adoption of Amendment No. 19 to Committee Recommendation JB-1. So that the record may be entirely clear, the Chair will read the amendment as it believes it should be phrased: on page 4 section 5.11 Commissioners line 3 insert after "incarceration pending hearing", the following; "other matters as may be prescribed by law".

A vote Aye is a vote in favor of Amendment No. 19. A vote No is a vote against. Cast your votes.

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

*(There was no response.)*

The Clerk will record the vote.

There being 27 votes in the affirmative and 93 in the negative, the motion is lost. The amendment is rejected.

For what purpose does Delegate Beatrice Miller rise?

DELEGATE B. MILLER: A point of personal privilege, Mr. Chairman. I should like to acknowledge the presence in the gallery behind me of ten students from Walt Whitman High School in Montgomery County, and in the gallery across the hall from me, the other members of the class from Tacoma Park Junior High School.

THE CHAIRMAN: Delighted to have them with us.

*(Applause.)*

THE CHAIRMAN: For what purpose does Delegate Clagett rise?

DELEGATE CLAGETT: For the purpose, Mr. Chairman, of a motion to reconsider Amendment No. 18.

THE CHAIRMAN: Is the motion seconded?

DELEGATE CASE: Second.

THE CHAIRMAN: It is regularly moved and seconded that the Committee of the Whole reconsider the vote by which Amendment No. 18 was adopted. The Clerk will sound the quorum bell.

DELEGATE SCANLAN: Mr. Chairman.

THE CHAIRMAN: Delegate Scanlan.

DELEGATE SCANLAN: A parliamentary inquiry. I want to know whether Mr. Clagett voted with the prevailing side.

DELEGATE CLAGETT: I believe we enter the Committee of the Whole and it makes no difference.

THE CHAIRMAN: I do not believe that is a requirement under the rule for him to move reconsideration.

DELEGATE SCANLAN: It is not a requirement when we sit in the Convention. The rule as to sitting in the Committee of the Whole is silent. Another rule incorporates by reference Robert's Rules of Order wherein a requirement does exist.

THE CHAIRMAN: The rules also provide that the Committee of the Whole shall follow the same rules as the Convention where applicable. The Chair rules that Delegate Clagett's motion is in order, re-