

ridiculous to me. I think that this Convention treated the small counties well when they gave them a superior court judge, and for that reason I am going to vote for the reconsideration of this amendment.

THE CHAIRMAN: Does any other delegate desire to speak in opposition?

Delegate Bennett.

DELEGATE BENNETT: A parliamentary inquiry: I take it that a motion that the Committee of the Whole rise now is in order. If I should make that motion and it should pass, would this motion to reconsider be pending business when the Committee on the Whole reconvenes?

THE CHAIRMAN: The Chair thinks so.

DELEGATE BENNETT: Mr. Chairman, I move that the Committee now rise.

THE CHAIRMAN: May I suggest to the delegate that we have present nearly all of the Convention at this time, and have spent some 40 or 45 minutes in debating this issue. Is the motion to rise seconded?

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

THE CHAIRMAN: The Chair calls on Delegate Powers for any comment as Chairman of the Committee on Calendar and Agenda.

DELEGATE POWERS: Mr. Chairman, it would appear that in a very few more minutes the entire matter would be disposed of, and it would be desirable to maintain the continuity. I am opposed to the motion.

THE CHAIRMAN: For what reason does Delegate Murray rise?

DELEGATE MURRAY: To speak in opposition to the motion.

THE CHAIRMAN: The motion to rise?

DELEGATE MURRAY: No, sir.

THE CHAIRMAN: The motion to rise has precedence.

Are you ready for the question?

*(Call for the question.)*

The question arises on the motion that the Committee of the Whole rise. A vote Aye is a vote in favor of the motion to rise. 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.)*

For what purpose does Delegate Weidemyer rise?

DELEGATE WEIDEMEYER: To speak in opposition just as soon as the Chair has ruled that the motion to rise has failed.

THE CHAIRMAN: The clerk will record the vote.

There being 18 votes in the affirmative and 107 in the negative, the motion is lost.

The Chair recognizes Delegate Weidemyer to speak in opposition to the motion to reconsider.

DELEGATE WEIDEMEYER: Mr. President, members of the Convention: sometimes when we arrive at conclusions we have to take a lot of statistics and work on them, and I am afraid that when section 5.10 was drafted, probably the Case statistics came into strong play; but I would say that in this instance for service to the public that the Case statistics present a very poor case. I think that we have overlooked one salient factor in all of this: that the district court judge is not there for the purpose of conserving money or placed just to conserve money, but he is placed there to serve the people.

For example, if they should decide that by statistics four counties on the Eastern Shore would be entitled to two district judges, it stands to reason that those two district judges serving the four counties could not be in all four counties all of the time. Consider a man from Montgomery County or Baltimore County or Anne Arundel or Prince George's, or even Baltimore City, going over to Ocean City, and he speeds up in Wicomico, is picked up and charged with speeding. If he feels he is falsely charged and wants to defend the case, and he says to the officer, "Well, I can come back and stand trial on Thursday; I can come back to Wicomico County;" the officer might have to say, "Well, you can come back on Thursday, but you will have to drive 50 miles more down into Somerset County, or over into Worcester County."

So that man, if he wants to, has to drive the additional fifty miles, and when the officer tells him that, it is because we placed it in the constitution that each county should not have its district judge. That man is going to say to the officer, confound that constitution.