

THE CHAIRMAN: Delegate Clagett, I think it is the privilege of any member to answer a question to whatever extent he chooses. Apparently Delegate Clagett does not desire to answer further at this time. Delegate Malkus.

DELEGATE MALKUS: Mr. President, may I talk now?

THE CHAIRMAN: Yes.

DELEGATE MALKUS: I knew as I walked out of this body that I could be City Halled. I knew that those who are high and mighty, when they get their heads together that the little victory, 69 to 60, would be short-lived, but really and truly Mr. President, this is not a democratic Convention. This Convention is run. Whether I win it or whether I lose it is not going to shorten my life but I want to say this to everyone of you here. You have the courage to spend \$30,000 on a superior court judge in a little county. One of my opponents may sometime hope to be one of those judges.

If you are going to give each county a superior court judge, this is a Convention basically for the judges and we are going to find this out, why in heavens name can't we give the people a right to be judged on by a judge that knows them well, rather than a circuit court rider, something that we gave up in the 1880's, and that is exactly what you are going to try here and now to establish.

There is no court in the State of Maryland more important than a people's court. Maybe to you lawyers, they get fat out of court cases, and I am a lawyer and I don't handle this kind of work, but to the people that know what justice is, it is by the local court, with the little judges.

You want to go ahead and make them ride over 110 miles. As far as I am concerned you can do it, Mr. President, but if you are interested in passing this Constitution, and now I am talking about a little politics, you are going to find out that if you prevent each county from having a magistrate's court or a people's court or under your new phraseology a district court, you are going to throw that out the window and it will be one more reason Mr. President, why this Convention will not pass it. Maybe we should not take that into consideration.

THE CHAIRMAN: You have one-half minute, Delegate Malkus.

DELEGATE MALKUS: That will be enough. I am going to live with the people

as long as I live in politics and I am a politician. You may consider yourselves statesmen, you are taking away from us the right to have a local judge on the most important subject matter, that a husband and wife cannot get along together, and put it somewhere in Wicomico County, and let them come over there two or three days a week and decide these matters. This is not going to cost a lot of money, Mr. President, and I want the records to show, if it is important enough to have a superior court judge in every county it is also important enough to have a people's court judge in every county. That is what the district court is.

THE CHAIRMAN: Does any delegate desire to speak in favor of the motion to reconsider? Delegate Case.

DELEGATE CASE: Mr. Chairman, ladies and gentlemen of the Convention, I was not going to speak to this because I had spoken before, and I am trying to impose upon myself the rule limiting debate on each issue to one time, but when Delegate Malkus says that I must vote for his amendment because if I do not this Constitution may go down the drain, that annoys me.

DELEGATE MALKUS: Will the gentleman yield?

DELEGATE CASE: When he says that this is another thing that may weigh the scales—

THE CHAIRMAN: Delegate Case, Delegate Malkus asks if you will yield to a question.

DELEGATE CASE: No, sir.

THE CHAIRMAN: Proceed, Delegate Case.

DELEGATE CASE: When he says that this is one thing which will weigh the scales against the passage of the document, I think we should re-examine our collective consciences.

I have no ability to appeal to emotions like Senator Malkus, but from time to time I can marshall the facts, and it is the facts I wish each of you would consider when you think about your vote on the motion to reconsider.

The facts are these: first, there has been an apparent analogy drawn between the superior courts and the district courts, and it is said that because we are going to have a superior court in each county we should have a district court in each county.