

Let me say first that a superior court in each county came about, not because of the need of the judiciary, but for other reasons, and was continued in the present document because that is the system we now have. We do not have a district court system, and therefore the Committee started out afresh attempting to bring to this State the best possible system that it could have.

I can say to you from personal experience that there are courts in this State under the one judge to one county rule which are not working full time. This is just as true as it can be, and therefore the analogy fails.

Secondly, it is suggested that justice will not be brought to the people, and Delegate Grant quite properly made an analogy of a person having to go 90 miles back to Cumberland for trial.

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

DELEGATE CASE: But this person was not a resident of Garrett County, but one travelling through. Justice will be brought to the people when these judges go to them, and bring them justice, and now one final thought. What we are trying to do here is to make a court of dignity, one that we can all be proud of, one that we can all look up to. This is the need in the lower courts, the courts of limited jurisdiction.

The Malkus amendment I submit will place them once again on the same basis as the justice of the peace. We will fail in our mission.

I ask that the vote to reconsider be adopted.

THE CHAIRMAN: Does any other delegate desire to speak in opposition to the vote to reconsider this? Delegate Key?

DELEGATE KEY: Again, Mr. Chairman, I do not really know. I want to ask Delegate Malkus a question.

THE CHAIRMAN: Let me see if someone desires—well, he is in opposition. Delegate Malkus, do you yield to a question?

DELEGATE MALKUS: Very happily, Mr. President.

THE CHAIRMAN: Delegate Key.

DELEGATE KEY: Delegate Malkus, you have caused me some concern with your statements. We are here supposedly setting up a state system of courts, which

means that judges will rotate, or be used in areas according to caseload.

Now you are telling me that a judge in Wicomico County cannot give a fair judgment to a wife-husband beating in Dorchester, when it is my understanding that a judge from Dorchester can come to Baltimore City and give an adequate, just judgment to a murder or a rape case. Is that what you are telling me?

THE CHAIRMAN: Delegate Malkus.

DELEGATE MALKUS: Let me say this to you: I was saying that if it is important enough to have a superior court judge, which is the court higher than the Almighty, who come in very little contact with the people, if it is important enough to have such a judge in every county, it is important enough to have a judge in every county that becomes involved with the real, personal subject matter of each and every person in that court.

THE CHAIRMAN: Do you have a further question, Delegate Key?

DELEGATE KEY: Yes.

Mr. Chairman, I would like to ask Delegate Mudd a question, please.

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

DELEGATE MUDD: Yes.

THE CHAIRMAN: Delegate Key.

DELEGATE KEY: Delegate Mudd, does this recommendation as your Committee has outlined it leave to the legislature or the appeals judge, for that matter, the opportunity to assign the superior court judge that is resident in the county to try district court cases, perhaps?

THE CHAIRMAN: Delegate Mudd.

DELEGATE MUDD: Yes.

DELEGATE KEY: Thank you.

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

Delegate Marion.

DELEGATE MARION: Mr. Chairman, I do not think I can appeal to the emotion of this body. I hope I might appeal to your reason.

I support the motion to reconsider and hope that when it is reconsidered that we will vote down Amendment 18.