

a confused delegate: we spent many minutes listening to arguments, pro and con, about Amendment No. 18, and my question is do you have any additional evidence in support of the opposition to Amendment No. 18 or, are we just asking for another crack to knock it down?

THE CHAIRMAN: Delegate Clagett.

DELEGATE CLAGETT: I would like to answer by saying that section 5.29 clearly indicates that where a resident judge is needed in any county, the Court of Appeals by rule can always assign to sit temporarily in any court a judge, whether he be a superior court judge or another district court judge.

I believe that that is an additional matter that is completely relevant here, and may have been overlooked, and therefore would be, I would say, something new.

THE CHAIRMAN: Delegate Frederick.

DELEGATE FREDERICK: Would the delegate answer me just one more question? Did you know of section 5.29 during the recent debate?

THE CHAIRMAN: Delegate Clagett.

DELEGATE CLAGETT: Yes, sir, I did; but I am afraid that some of the other delegates who voted in favor of Delegate Malkus' motion may not have.

THE CHAIRMAN: Delegate Frederick.

DELEGATE FREDERICK: You feel then that it was omitted and nobody brought this problem before the body?

THE CHAIRMAN: Delegate Clagett.

DELEGATE CLAGETT: Yes, sir, I do feel that it is quite important and relevant to this question, particularly in the light of the point raised by Delegate Adkins, where the effort is to raise the status of the judiciary and to make justice available in every county.

I say here that with a superior court judge resident in that county, who may be assigned to the district court responsibilities, if there is need for them, that that answers the question.

THE CHAIRMAN: Delegate Frederick.

DELEGATE FREDERICK: Except just one thing, Delegate Clagett.

THE CHAIRMAN: Are you asking a question?

DELEGATE FREDERICK: Yes.

THE CHAIRMAN: Are you debating?

DELEGATE FREDERICK: Far be it for me to get entangled. I feel like a layman in a jungle with a sling shot.

Your reference very clearly brings about the only thing that is also confusing me: that Delegate Adkins spoke after you reconsidered, not before; so again I am confused. You bring reference to Delegate Adkins' speech, but that was after you made the amendment to reconsider, not before.

THE CHAIRMAN: What is the question, Delegate Frederick?

DELEGATE FREDERICK: I am confused. I would like to ask him.

THE CHAIRMAN: Delegate Clagett, you have slightly less than thirty seconds to end the confusion.

DELEGATE CLAGETT: I will have to stand on the fact that I hope that your confusion with more consideration will clear, and that you will vote in the right direction.

THE CHAIRMAN: For what purpose does Delegate Fox rise?

DELEGATE FOX: I would like to ask Delegate Mudd a question, if I may.

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

DELEGATE MUDD: Yes, Mr. Chairman.

THE CHAIRMAN: Delegate Fox.

DELEGATE FOX: Delegate Mudd, if there were a district judge resident in every county, and if there were not sufficient judicial business to occupy him in the county, could he not then be assigned to other places in the State where it would be necessary to have additional district judges?

THE CHAIRMAN: Delegate Mudd.

DELEGATE MUDD: Yes, that is entirely possible under the assignment powers provided for in section 5.29, as I recollect.

THE CHAIRMAN: Delegate Fox.

DELEGATE FOX: So there would not be any reason to assume that these judges would be part-time, then, would there?

THE CHAIRMAN: Delegate Mudd.

DELEGATE MUDD: No, there is no contemplation in our recommendation that