

In Baltimore, the Federal District Court for the District of Maryland and the Maryland District Court in all probability will be across the street from each other. It will cause confusion as to witnesses' excuses, I thought you mentioned the other District Court, that sort of thing. I suggest the name "general court" be used. There used to be a "general court" in Maryland in colonial times. It has that tradition. It seems to me it has the virtue of avoiding confusion.

THE CHAIRMAN: Does any delegate—
Delegate Mudd.

DELEGATE MUDD: Mr. Chairman, ladies and gentlemen, of course if we consider here by amendment every possible change of name for these four courts, the deliberations could go on ad infinitum. I think this name "general court" was one not considered in Committee, although we did spend considerable time in discussing the names of these courts in the four tiers.

After considerable debate and careful consideration of all the names suggested, we adopted the idea of district court for the court of limited jurisdiction.

Our research indicated that this name "district court" is in popular and general use in many states for the courts of limited jurisdiction and obviously by virtue of that rather extended use, the conflict has not resulted which Delegate Fox seems to feel might develop in Baltimore with respect to the federal district court.

Therefore, I respectfully urge that this amendment be rejected.

THE CHAIRMAN: Is there any other delegate who desires to speak in favor of the amendment?

Is there any delegate who desires to speak in opposition?

Delegate Byrnes, do you desire to speak in favor of the amendment?

DELEGATE BYRNES: In favor. I had the opportunity some months ago to work at the district court level, U. S. District. I can attest in Baltimore City there is a great deal of confusion even now. I suggest with respect to the federal system we ought to give real serious concern to this.

I support the change of the name from district court. I had never heard of the term "general", but since it does have the colonial tradition, it might be well regarded by this body and I urge it upon you.

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

Delegate Schneider?

DELEGATE SCHNEIDER: Mr. Chairman, I am opposed for the reasons stated by Chairman Mudd, and because we could think of a lot of names better than general court, it seems to me. We have always had problems of identification, many courts use the highest court as "supreme court," and they do not worry about the problem of identification with the U. S. Supreme Court, and our Court of Appeals has the same name as the U. S. Court of Appeals. We are not about to change the name of the Maryland Court of Appeals because somebody is liable to head for Washington or Baltimore or Annapolis or go to Baltimore rather than Annapolis.

I think we better stick with the names and not spend all our time on these small changes.

THE CHAIRMAN: Does any other delegate desire to speak in favor of the amendment? Any against?

(There was no response.)

Ready for the question?

(Call for the question.)

Sound the quorum bell.

The question arises on adoption of Amendment No. 11 to Committee Recommendation JB-1. A vote Aye is a vote in favor of Amendment No. 11. 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 36 votes in the affirmative and 83 in the negative, the motion is lost. The amendment is rejected.

Are there any amendments to section 5.09? The Chair hears none.

Are there any amendments to section 5.10?

Delegate Macdonald.

DELEGATE MACDONALD: I have an amendment, Mr. Chairman.

THE CHAIRMAN: I have it. The pages will distribute amendment marked AR, Amendment No. 12. The clerk will read the amendment.