

these cases are uncontested, that the legislature in its wisdom initially at least may not wish to create a district for every county, and thereby require a resident judge in every county at the district court level.

We, therefore, oppose the amendment, for the reason that we believe it is wiser to leave this discretion with the legislature in creating these districts for the district court as the circumstances may from time to time require, especially in view of some population projections which do, believe it or not, suggest a decrease in population in some areas of the State over the next five to fifteen years.

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

Delegate Malkus?

DELEGATE MALKUS: I would like to ask the Chairman if he will yield to a question.

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

DELEGATE MUDD: Gladly.

THE CHAIRMAN: Delegate Malkus.

DELEGATE MALKUS: How often does the magistrate sit in Ocean City?

THE CHAIRMAN: Delegate Mudd.

DELEGATE MUDD: I have not been able to afford a vacation there as often as I would like, and frankly, I do not know.

THE CHAIRMAN: Delegate Malkus.

DELEGATE MALKUS: Since you have brought out your Report, you have not explored every possible situation?

THE CHAIRMAN: Delegate Mudd.

DELEGATE MUDD: In my opinion, no, when it is left to the decision of the legislature.

THE CHAIRMAN: Delegate Malkus.

DELEGATE MALKUS: Would you be surprised if I told you that the magistrate at Ocean City sits seven days a week?

THE CHAIRMAN: Delegate Mudd.

DELEGATE MUDD: No.

THE CHAIRMAN: Are there any further questions, Delegate Malkus?

DELEGATE MALKUS: Not at this time, Mr. President.

THE CHAIRMAN: Delegate Sybert.

DELEGATE SYBERT: Mr. Chairman, I rise in support of this amendment.

As Delegate Malkus pointed out, the body insured yesterday that there will be one superior court judge resident in each county, and at least I take it the effect of that amendment was that he would sit ordinarily in that county.

I point out that the district courts in every jurisdiction will handle several times as many cases as the superior court judge will. The district court will be the court with which most citizens will have contact. I think it is imperative that we have not only a district court judge available at all times as a resident one would, but that the local district court judge will know the people and will know their customs and the conditions in the county much better than a district court judge from some other county in the same district.

For that reason, I think it is as a practical thing imperative that we have at least one district court judge available and who shall sit in his own county.

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

Delegate Case.

DELEGATE CASE: Mr. Chairman, ladies and gentlemen of the Committee, Delegate Mudd correctly stated the fact that this recommendation is based upon the best use of judicial manpower, and as much as I hate to speak in opposition to my good friend and long-time colleague, Delegate Sybert, I would call to the attention of the Committee of the Whole a few figures which I think will indicate the fallacy of his approach.

For the year September 1, 1964, to August 31, 1965, there were 413,000 traffic cases tried by the courts of limited jurisdiction in this State, of which only 6,000 were tried in Howard County.

During that same period there were 135,000 civil cases terminated by the courts of limited jurisdiction in this State, of which less than 300 were tried by courts of limited jurisdiction in Howard County.

Going back to Delegate Malkus for a minute, again, taking the traffic cases that were tried during this period, there were 413,000 of them; in Dorchester County, only 958 of the total of 413,000 were tried in Dorchester County.