

CONSTITUTIONAL CONVENTION OF MARYLAND

CONSTITUTION OF 1867

PROPOSED CONSTITUTION OF 1968

county, and also the candidate or candidates residing in some other county, and not similarly disqualified, who shall have the next highest number of votes in said election. If, by reason of such a condition or by reason of an equal vote for two or more candidates a sufficient number of judges duly qualified as to residence shall not be elected at any election, then it shall be the duty of the Governor to order a new election for such unfilled office or offices. From and after December 1, 1954, there shall be not less than two judges resident in Anne Arundel County, and not less than three judges resident in Baltimore County. From and after December 1, 1960, there shall be not less than four judges resident in Prince George's County. From and after December 1, 1960, there shall be not less than five judges resident in Montgomery County.

Notwithstanding any other provision of this Article the vacancy in Montgomery County created by the adoption of this amendment shall not be filled by appointment as provided in Section 5 of this Article, but at the first biennial general election for Representatives in Congress, after the adoption of this amendment a judge shall be elected by the qualified voters of Montgomery County to fill such vacancy in such county. Any other vacancy in the office of Judge of the Circuit Court for Montgomery County and any vacancy in the second judicial circuit shall be filled as provided in Sections 3 and 5 of this Article, except that the person initially appointed to fill the vacancy in the second judicial circuit shall be a resident of Kent County.

The said judges shall hold such terms of the Circuit Court in each of the counties composing their respective circuits, at such times as are now prescribed or may hereafter be prescribed by rules or regulations by the Court of Appeals or otherwise by law. One judge in each of the first seven circuits shall constitute a quorum for the transaction of any business; and the said judges, or any of them, may hold special terms of their Courts, when in their discretion, the business of the several counties renders such terms necessary.

All provisions of the Constitution of Maryland and all Acts of the General Assembly relating to the Court of Appeals or any other courts, and all rules heretofore adopted by the Court of Appeals, not incon-

*See Section 5.09, Composition, p. 59.*