An Act to provide for the Trial of facts in the several Counties of this State, and to alter, change and abolish, all such parts of the Constitution and Form of Government as relate to the General Court and Court of Appeals. —

Be it Enacted by the General Assembly of Maryland, That this State shall be divided into six Judicial Districts, in manner and form following, to wit, Saint Mary's, Charles and Prince George's Counties, shall be the first District; Cecil, Kent, Queen Anne and Talbot Counties shall be the second District; Calvert, Anne Arundel ~~County~~ and Montgomery Counties, shall be the third District; Caroline, Dorchester, Somerset and Worchester Counties, shall be the fourth District; Frederick, Washington and Allegany Counties, shall be the fifth District; Baltimore and Harford Counties shall be the sixth District; and there shall be appointed for each of the said Judicial Districts three persons of Integrity and sound legal knowledge, residents of the ~~state~~ State of Maryland, who shall previous to and during their acting as Judges, reside in the District for which they shall respectively be appointed, one of whom shall be styled in the Commission Chief Judge, and the other two Associate Judges, of the District for which they shall be appointed; and the Chief Judge, together with the two Associate Judges, shall compose the County Courts in each respective District; and each Judge shall hold his Commission during good behaviour, removeable for misbehaviour on conviction in

a Court of Law, or shall be removed by the Governor, upon the address of the General Assembly, provided that two thirds of all the Members of each House concur in such address; and the County Courts, so as aforesaid established, shall have, hold and exercise, in the several Counties of this State, all and every the powers, Authorities and Jurisdictions, which the County Courts of this State now have, use and exercise, and which shall be hereafter prescribed by Law; and the said County Courts established by this Act shall respectively hold their Sessions in the General Counties at such times and places as the Legislature shall direct and appoint, and the Salaries of the said Judges shall not be diminished during the period of their Continuance in Office. —

And be it Enacted, That in any suit or action at law, hereafter to be commenced or instituted in any County Court of this State, the Judges thereof, upon suggestion in writing by either of the parties thereto, supported by Affidavit or other proper evidence, that a fair and impartial Trial cannot be had in the County Court of the County where such suit or action is depending, shall and may Order and direct the record of their proceedings in such suit or action to be transmitted to the Judges of any County Court within the District for Trial, and the Judges of such County Court, to whom the said record shall be transmitted, shall hear and determine the same in like manner as if such suit or action had been originally instituted therein; provided Nevertheless, that

(such)

such suggestion shall be made as aforesaid before or during the term in which the issue or issues may be ~~joined~~ joined in said suit or action; and provided also, that such further remedy may provided by Law in the premises as the Legislature shall from time to time direct and enact. —

And be it Enacted, That if any party presented or Indicted in any of the County Courts of this State, shall suggest, in writing, to the Court in which such prosecution is depending that a fair and impartial Trial cannot be had in such Court, it shall and may be lawful for the said Court to order and direct the record of their proceedings in the said prosecution to be transmitted to the Judges of any adjoining County Court for Trial, and the Judges of such adjoining County Court shall hear and determine the same in the same manner as if such prosecution had been originally instituted therein; provided, that such further and other remedy may be provided by Law in the premises as the Legislature may direct and enact. —

And be it Enacted, That if the Attorney General, or the prosecutor for the State, shall suggest, in writing, to any County Court before whom an Indictment is or may be depending, that the State cannot have a fair and impartial Trial in such Court, it shall and may be lawful for the said Court in their discretion, to order and direct the record of their proceedings in the said

prosecution to be transmitted to the Judges of any adjoining County Court for Trial, and the Judges of such County Court shall hear and determine the same as if such prosecution had been originally instituted therein. —

And be it Enacted, That there shall be a Court of Appeals, and the same shall be composed of the Chief Judges of the several Judicial Districts of the State, which said Court of Appeals shall hold, use and exercise, all and singular the powers, authorities and Jurisdictions, heretofore held, used and exercised by the Court of Appeals of this State, and also the appellate Juris=diction heretofore used and exercised by the General Court, and the said Court of Appeals hereby established shall sit on the Western and Eastern Shores for transacting and determining the business of the respective Shores at such times and places as the future Legislature of this State shall direct and appoint, and any three of the said Judges of the Court of Appeals shall form a Quorum to hear and decide in all cases pending in said Court; and the Judge who has given a decision in any case in the County Court shall withdraw from the Bench upon the deciding of the same case before the Court of Appeals; and the Judges of the Court of Appeals may appoint the Clerks of said Court for the Western and Eastern Shores respectively, who

(shall)

shall hold their appointments during good behaviour, removeable only for misbehaviour on Conviction in a Court of Law; and in case of death, resignation, disqualification, or removal out of the State, or from their respective Shores, of either of the said Clerks in the vacation of the said Court, the Governor, with the advice of the Council, may appoint and Commission a fit and proper person to such vacant Office, to hold the same until the next meeting of the said Court; and all Laws passed after this Act shall take effect, shall be recorded in the Office of the Court of Appeals of the Western Shore. —

And be it Enacted, That all and every part of the Constitution and form of Government which relates to the Court of Appeals and the General Court, or the Judges thereof, or that is in any manner repugnant to, or inconsistent with, the provisions of this Act, be and the same is hereby repealed, abrogated and annulled, upon the Confirmation hereof; provided, that nothing herein Contain=ed shall be construed so as to authorise the removal of the Clerks of the respec=tive County Courts, being in Commission at the time of the passing of this Act, in any other mode or manner than that prescribed by the Constitution and Form of Government. —

And be it Enacted, that if this act shall be confirmed by

(the)

the General Assembly, after the next Election of Delegates, in the first Session after such new Election, as the Constitution and form of Government directs, that in such case this Act, and the alterations and amendments of the Constitution and form of Government therein Contained, shall be taken and Considered, and shall Constitute and be valid, as a part of the said Constitution and form of Government, to all intents and purposes, any thing in the said Constitution and form of Government to the Contrary notwithstanding. —

By the House of Delegates
January 12. 1805
Read and assented to
By order
J. B. Duckett Cl

By the Senate Jany. 12th 1805
Read and assented to.
By order.
Thos. S. Hale Cs.

Rob. Bowie

No. 555 13/5

Examined by G. A. Brown
Danielsthorpe

Recorded