

Sec. 7. No judge shall sit in any case wherein he may be interested, or where either of the parties may be connected with him by affinity or consanguinity, within such degrees as now are or may hereafter be prescribed by law, or where he shall have been of counsel in the case.

Sec. 8. The general assembly shall provide for the trial of causes in case of the disqualification of the judge of the superior court of Baltimore city, the court of common pleas, the circuit court of Baltimore city, and the criminal court of Baltimore, and also in case of the disqualification of any judge of other circuit courts of this State, to hear and determine the same, but in case of such disqualification, the parties thereto may, by consent, appoint a person to try the same; and the parties to any cause may submit the same to the court for determination without the aid of a jury.

Sec. 9. The judge or judges of any court of this State, except the court of appeals, shall order and direct the record of proceedings in any suit or action, issue or petition, presentment or indictment pending in such court, to be transmitted to some other court in the same or any adjoining circuit having jurisdiction in such cases, whenever any party to such cause, or the counsel of any party shall make it satisfactorily appear to the court that such party cannot have a fair and impartial trial in the court in which such suit or action, issue or petition, presentment or indictment is pending; and the general assembly shall make such modifications of existing law as may be necessary to regulate and give force to this provision.

Sec. 10. The judge or judges of any court may appoint such officers for their respective courts, as may be found necessary, and it shall be the duty of the general assembly to prescribe by law a fixed compensation for all such officers.

Sec. 11. Every person being a citizen of the United States shall be permitted to appear to and try his own case in all the courts of this State.

Sec. 12. Any person who shall, after this constitution shall have gone into effect, detain in slavery any person emancipated by the provisions of this constitution, shall on conviction, be fined not less than five hundred dollars nor more than five thousand dollars, or be imprisoned not more than five years; and any of the judges of this State shall discharge, on *habeas corpus*, any person so detained in slavery.

Sec. 13. The clerks of the several courts created or continued by this constitution, shall have charge and custody of the records and other papers, shall perform all the duties and be allowed the fees which appertain to their several offices as the same now are or may hereafter be regulated by law.

Sec. 14. All elections of judges, and other officers, provided for by this constitution, State's attorneys excepted, shall be certified and the returns made by the clerks of the respective counties to the governor, who shall issue commissions to the different persons for the offices to which they shall have been respectively elected; and in all such elections, the person having the greatest number of votes shall be declared to be elected.

Sec. 15. If in any case of election for judges, clerks of the courts of law, and registers of wills, the opposing candidates shall have an equal number of votes, it shall be the duty of the governor to order a new election; and in case of any contested election, the governor shall send the returns to the house of delegates, who shall judge of the election and qualification of the candidates at such election.

Sec. 16. All public commissions and grants shall run thus: "The State of Maryland," &c., and shall be signed by the governor, with the seal of the State annexed; all writs and process shall run in the same style, and be tested, sealed and signed as usual; and all indictments shall conclude "against the peace, government and dignity of the State."

#### *Part II.—Court of Appeals.*

Sec. 17. The court of appeals shall consist of a chief justice and four associate justices, and for their selection the State shall be divided into five judicial districts, as follows, viz: Worcester, Somerset, Dorchester, Talbot, Caroline, Queen Anne, Kent and Cecil counties shall compose the first district; Harford and Baltimore counties, and the first seven wards of Baltimore city, shall compose the second district; Baltimore city, except the first seven wards, shall compose the third district; Allegany, Washington, Frederick, Howard and Carroll counties, shall compose the fourth district; St. Mary's, Charles, Anne Arundel, Calvert, Prince George's and Montgomery counties, shall compose the fifth district, and one of the justices of the court of appeals shall be elected from each of said districts, by the qualified voters of the whole State. The present chief justice and associate justices of the court of appeals shall continue to act as such until the expiration of the term for which they were respectively elected, and until their successors are elected and qualified; and an election for a justice of the court of appeals, to be taken from the fourth judicial district, shall be held on the Tuesday next after the first Monday in the month of November, eighteen hundred and sixty-four.

Sec. 18. The court of appeals shall hold its sessions in the city of Annapolis, on the first Monday in April and the first Monday of October, of each and every year, or at such other times as the general assembly may by law direct, and it shall be competent for the justices of said court, sufficient cause appear-