

1 It does not include equity cases, as I read it,
2 there would be no right of removal whatsoever in an equity
3 case unless the Court of Appeals chose to grant one.

4 As I read it, it does not make an exception in
5 regard to actions involving land. I don't think we want
6 actions involving real property rights treated in the
7 same way.

8 For hundreds of years actions involving real
9 property rights have been involved in the county where the
10 land is located, and thirdly, and this is the thing that
11 gives me the most trouble with Amendment 13, it seems to
12 be inconsistent on its face.

13 In line 9, it says the Court shall -- if I read
14 just that it indicates a case must be removed whenever the
15 party would file an action under oath, but then the
16 amendment goes on and says that the Court of Appeals by
17 rule shall provide for regulation of this provision. It
18 seems the right under Amendment 13 would be unqualified or
19 you could end up when you would have no qualifying right.

20 We have an unqualified right of removal in the
21 Maryland Constitution since 1875 in certain cases, namely