

respective counties, all the power, authority and jurisdiction, original and appellate, which the present Circuit Courts of this State now have and exercise, or which may hereafter be prescribed by law.

CHIEF JUDGE AND TWO ASSOCIATES—RESIDENCE—CASE OF
TIE—TWO TERMS A YEAR—INTERMEDIATE
TERMS—SPECIAL TERMS.

SEC. 21. For each of the said circuits, (excepting the eighth), there shall be a chief judge and two associate judges, to be styled judges of the circuit court, to be elected or appointed, as herein provided. And no two of said associate judges shall, at the time of their election or appointment, or during the term for which they may have been elected or appointed, reside in the same county. If two or more persons shall be candidates for associate judge, in the same county, that one only in said county shall be declared elected who has the highest number of votes in the circuit. In case any two candidates for associate judge, residing in the same county, shall have an equal number of votes, greater than any other candidate for associate judge, in the circuit, it shall be the duty of the Governor to order a new election for one associate judge; but the person residing in any other county of the circuit and who has the next highest number of votes shall be declared elected. The said judges shall hold not less than two terms of the circuit court in each of the counties composing their respective circuits, at such times as are now, or may hereafter, be prescribed, to which jurors shall be summoned; and in those counties where only two such terms are held, two other and intermediate terms, to which jurors shall not be summoned; they may alter or fix the times for holding any or all terms until otherwise prescribed, and shall adopt rules to the end that all business, not requiring the interposition of a jury, shall be, as far as practicable, disposed of at said intermediate terms. One judge, in each of the above 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, whenever, in their discretion, the business of the several counties renders such terms necessary.

POINTS RESERVED TO BE HEARD IN BANC—RIGHT OF APPEAL
NOT PRECLUDED—NOT TO APPLY TO APPEALS FROM
JUSTICES OF THE PEACE AND CERTAIN
CRIMINAL CASES.

SEC. 22. When any term is held, or trial conducted, by less than the whole number of said circuit judges, upon the decision or determination of any point or question, by the court, it