

[Sec. 39. The General Assembly shall, as often as it may think the same proper and expedient, provide by Law for the election of an additional Judge of the Supreme Bench of Baltimore City, and whenever provision is so made by the General Assembly, there shall be elected by the voters of said City another Judge of the Supreme Bench of Baltimore City, who shall be subject to the same constitutional provisions, hold his office for the same term of years, receive the same compensation, and have the same powers as are, or shall be, provided by the Constitution or Laws of this State, for the Judges of said Supreme Bench of Baltimore City, and the General Assembly may provide by Laws, or the Supreme Bench by its rules for requiring causes in any of the Courts of Baltimore City to be tried before the court without a jury, unless the litigants or some one of them shall within such reasonable time or times as may be prescribed, elect to have their causes tried before a jury. And the General Assembly may reapportion, change or enlarge the jurisdiction of the several Courts in said city.]†

**Additional  
Judges.**

*Part V.—Orphans' Courts.*

Sec. 40 The qualified voters of the City of Baltimore, and of the several counties, shall on the Tuesday next after the first Monday in November next, and on the same day in every fourth year thereafter, elect three men to be Judges of the Orphans' Courts of said city and counties, respectively, who shall be citizens of the State, and residents for the twelve months preceding, in the city, or county, for which they may be elected. They shall have all the powers now vested in the Orphans' Courts of the State, subject to such changes as the Legislature may prescribe. Each of said Judges shall be paid a per diem for the time they are actually in session, to be regulated by Law, and to be paid by the said city, or counties, respectively. In case of a vacancy in the office of Judge of the Orphans' Court, the Governor shall appoint, subject to confirmation or rejection by the Senate, some suitable person to fill the same for the residue of the term.

**Three Judges.**

**Term.**

**Jurisdiction.**

**Per diem.**

**Vacancies.**

*Ijams v. Duvall*, 85 Md. 252. *Wells v. Monroe*, 86 Md. 448.

Sec. 41. There shall be a Register of Wills in each county of the State, and the City of Baltimore, to be elected by the legal and qualified voters of said counties and city, respectively, who shall hold his office for six

**Register of  
Wills.**

**Term.**

† Thus amended by Chapter 313, Acts of 1892, ratified by the people November 7th, 1893.