

Headnotes	Present Constitution	Constitution of 1867	Constitution of 1864
Election of Jury: Removal of pending cases; procedure.	Sec. 8. The parties to any cause may submit the same to the Court for determination without the aid of a jury, and in all suits or actions, at law issues from the Orphans' Court, or from any court sitting in equity and in all cases of Presentments or indictments for offences, which are or may be punishable by death, pending in any of the courts of law in this State having jurisdiction thereof upon suggestion in writing under oath of either of the parties to said proceedings that such party cannot have a fair and impartial trial in the court in which the same may be pending, the said court shall order and direct the record of proceedings in such suit or action, issue presentment, or indictment, to be transmitted to some other court having jurisdiction in such case for trial, but in all other cases of presentment or indictment, pending in any of the Courts of law in this State having jurisdiction thereof, in addition to the suggestion in writing of either of the parties to such presentment or indictment that such party cannot have a fair and impartial trial in the court in which the same may be pending, it shall be necessary for the party making such suggestion to make it satisfactorily appear to the Court	Sec. 8. The parties to any cause may submit the same to the Court for determination, without the aid of a jury; and 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, (and of a different Circuit, if the party applying shall so elect,) having jurisdiction in such cases, whenever any party to such cause, or the counsel of any party, shall make a suggestion, in writing, supported by the affidavit of such party, or his counsel, or other proper evidence, that the party cannot have a fair or impartial trial in the Court, in which such suit, or action, issue, or petition, presentment, or indictment is pending, or when the Judges of said Court shall be disqualified, under the provisions of this Constitution, to sit in any such suit, action, issue or petition, presentment, or indictment; and the General Assembly, shall make such modifications of existing Law as may be necessary to regulate and give force to this provision.	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, present-

Constitution of 1851	Constitution of 1776	Amendments to 1776 Constitution
unable to sit in any cause, the parties may, by consent, appoint a proper person to try the said cause, or the judges, or any of them, shall do so when directed by law. Sec. 28. In all suits or actions at law, issues from the Orphans' Court or from any court sitting in equity, in petitions for freedom, and in all presentments and indictments now pending, or which may be pending at the time of the adoption of this Constitution by the people, or which may be hereafter instituted in any of the courts of law of this State, having jurisdiction thereof, the judge or judges thereof, upon suggestion in writing, if made by the State's Attorney, or the prosecutor for the State, or upon suggestion in writing, supported by affidavit, made by any of the parties thereto, or other proper evidence, that a fair and impartial trial cannot be had in the court where such suit or action at law, issues or petitions, or presentment and indictment is depending, shall order and direct the record of proceedings in such suit or action, issues or petitions, presentment or indictment, to be transmitted to the court of any adjoining county; provided, that the removal in all civil causes be confined to an adjoining county within the judicial circuit, except as to the city of Baltimore, where the removal may be to an adjoining county, for trial, which court shall hear and determine the same in like manner.		Proposed by Act of 1804, chapter 55. Ratified 1805. Sec. 2. 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; <i>Provided nevertheless</i>, That such suggestion shall be made as aforesaid before or during the term in which the issue or issues may be joined in said suit or action; <i>And provided also</i>. That such further remedy may be provided by law in the premises as the Legislature shall from time to time direct and enact. Sec. 3. If any party presented or indicted in any of the County Courts