

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 hereafter 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.†

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Part V—Orphans' Court.

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,¹ elect three men to be Judges of the Orphans' Court 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.

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 qualified² voters of said counties and city, respectively, who shall hold his office for six years from the time of his election, and until his successor is elected and qualified²; he shall be re-eligible, and subject at all times to removal for willful neglect of duty or misdemeanor in office in the same manner that the clerks of the courts are removable. In the event of any vacancy in the office of the Register of Wills, said vacancy shall be filled by the Judges of the Orphans' Court, in which such vacancy occurs, until the next general election for Delegates to the General Assembly, when a Register shall be elected to serve for six years thereafter.¹

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

¹ Amended by Article XVII, Section 3.

² Amended by Article XVII, Section 1.

¹ Amended by Article XVII, Section 7.