

which either of these amendments was proposed, or at which the number or salary of judges for any of the eight circuits or for any of the counties may be or may have been increased or decreased by the General Assembly from time to time, if otherwise qualified, shall be ineligible for appointment or election as judge of the Court of Appeals or any other court by reason of his membership in such General Assembly.

In the event and to the extent of any inconsistency between the provisions of any section amended or added by these amendments and any of the other provisions of this Constitution or the provisions of any existing law, the provisions of the sections amended or added shall prevail, and such other provisions shall be repealed or abrogated to the extent of such inconsistency, except Section 35A of Article III of this Constitution; provided, however, that in the event of any inconsistency between the provisions of the sections thus amended or added and any of the other provisions of the sections thus amended or added and any of the other provisions of this Constitution as amended by any other amendments which may be adopted at the same time or times as these amendments, i.e. at the election held in November, 1944, or at the election held in November, 1954, or at the election held in November, 1960, the changes made by these amendments and all such other amendments to this Constitution shall all be given effect.¹

SEC. 22. Where 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 shall be competent to the party, against whom the ruling or decision is made, upon motion, to have the point, or question reserved for the consideration of the three Judges of the Circuit, who shall constitute a court in *banc* for such purpose; and the motion for such reservation shall be entered of record, during the sitting, at which such decision may be made; and the several Circuit Courts shall regulate, by rules, the mode and manner of presenting such points, or questions to the court in *banc*, and the decision of the said Court in *banc* shall be the effective decision in the premises, and conclusive, as against the party, at whose motion said points, or questions were reserved; but such decision in *banc* shall not preclude the right of appeal, or writ of error to the adverse party, in those cases, civil or criminal, in which appeal, or writ of error to the Court of Appeals may be allowed by Law. The right of having questions

¹ Thus amended by Chapters 642 and 761, Acts of 1959, ratified November 8, 1960.