

three of the said judges of the court of appeals shall form a quorum to hear and decide in all cases pending in said court; and the judge who has given a decision in any case in the county court, shall withdraw from the bench upon the deciding of the same case before the court of appeals; and the judges of the court of appeals may appoint the clerks of said court for the western and eastern shores respectively, who shall hold their appointments during good behaviour, removable only for misbehaviour on conviction in a court of law; and in case of death, resignation, disqualification, or removal out of the state, or from their respective shores, of either of the said clerks in the vacation of the said court, the governor, with the advice of the council, may appoint and commission a fit and proper person to such vacant office, to hold the same until the next meeting of the said court; and all laws passed after this act shall take effect, shall be recorded in the office of the court of appeals of the western shore.

6. AND BE IT ENACTED, That all and every part of the constitution and form of government which relates to the court of appeals and the general court, or the judges thereof, or that is in any manner repugnant to, or inconsistent with, the provisions of this act, be and the same is hereby repealed, abrogated and annulled, upon the confirmation hereof; provided, that nothing herein contained shall be construed so as to authorise the removal of the clerks of the respective county courts, being in commission at the time of the passing of this act, in any other mode or manner than that prescribed by the constitution and form of government.

7. AND BE IT ENACTED, That if this act shall be confirmed by the general assembly, after the next election of delegates, in the first session after such new election, as the constitution and form of government directs, that in such case this act, and the alterations and amendments of the constitution and form of government therein contained, shall be taken and considered, and shall constitute and be valid, as a part of the said constitution and form of government, to all intents and purposes, any thing in the said constitution and form of government to the contrary notwithstanding.

*An Act (x) to confirm an act, entitled, An act to provide for the Trial of Facts in the several Counties of this State, and to alter, change and abolish, all such parts of the Constitution and Form of Government as relate to the General Court and Court of Appeals. Lib. TH. No. 1, fol. 17.*

(x) 1805, ch. 16.

WHEREAS at a session of assembly, begun and held at the city of Annapolis on the fifth day of November, in the year of our Lord one thousand eight hundred and four, an act of assembly, entitled, An act to provide for the trial of facts in the several counties of this state, and to alter, change and abolish, all such parts of the constitution and form of government as relate to the general court and court of appeals, was passed, to alter and repeal those parts of the constitution and form of government that are therein mentioned: And whereas the said act of assembly hath been published in due form for the space of three months next before the late general election of delegates to the house of delegates, according to the provisions of the constitution and form of government, and this general assembly hereby intend to confirm the said act,

2. BE IT ENACTED, by the General Assembly of Maryland, That the said act, entitled, An act to provide for the trial of facts in the several counties of this state, and to alter, change and abolish, all such parts of the constitution and form of government as relate to the general court and court of appeals, be and it is hereby confirmed and made valid to every intent and purpose therein mentioned.