

and jurisdictions, heretofore held, used and exercised, by the court of appeals of this state, and also the appellate jurisdiction heretofore used and exercised by the general court; and the said court of appeals hereby established shall sit on the western and eastern shores for transacting and determining the business of the respective shores, at such times and places as the future legislature of this state shall direct and appoint, and any 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or that is in any manner repugnant to, or inconsistent with, the provisions of this act, be and the same is hereby repealed, abrogated and annulled, upon the confirmation hereof; provided, that nothing herein contained shall be construed so as to authorise the removal of the clerks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.

Part of the constitution repealed.

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.

If confirmed this act to be a part of the constitution.

This act confirmed by 1805, ch. 16. See also 1805, ch. 10, ch. 65, and ch. 85.

CHAP. XLVI.

*An Act for opening and extending a certain Street in the City of Baltimore.* Lib. JG. No. 4, fol. 612. Passed Jan 12 1805

WHEREAS it is represented to this general assembly, by a number of the inhabitants of the city of Baltimore, that their convenience would be very materially promoted by the opening and extending a street in the said city running from Green-street to High-street; and the said representation appearing just, therefore,

Preamble.

2. BE IT ENACTED, by the General Assembly of Maryland, That the city commissioners be and they are hereby empowered to open and

Street to be opened and extended.