

Sec. 3. The Judges of the said several Courts shall be elected in the Counties by the qualified voters in their respective Judicial Circuits as hereinafter provided, at the general election to be held on the Tuesday after the first Monday in November next, and in the City of Baltimore, on the fourth Wednesday of October next. Each of the said Judges shall hold his office for the term of fifteen years from the time of his election, and until his successor is elected and qualified, or until he shall have attained the age of seventy years, whichever may first happen, and be re-eligible thereto until he shall have attained the age of seventy years, and not after; but in case of any Judge who shall attain the age of seventy years whilst in office, such Judge may be continued in office by the General Assembly for such further time as they may think fit, not to exceed the term for which he was elected, by a resolution to be passed at the session next preceding his attaining said age. In case of the inability of any of said Judges to discharge his duties with efficiency, by reason of continued sickness, or of physical or mental infirmity, it shall be in the power of the General Assembly, two-thirds of the members of each House concurring, with the approval of the Governor, to retire said Judge from office.

See notes to article 4, section 24.

Sec. 4. Any Judge shall be removed from office by the Governor, on conviction in a Court of Law, of incompetency, of wilful neglect of duty, misbehavior in office or any other crime, or on impeachment, according to this Constitution, or the Laws of the State; or on the address of the General Assembly, two-thirds of each House concurring in such address, and the accused having been notified of the charges against him, and having had opportunity of making his defence.

The meaning of the term "general assembly" as used in this section, referred to in determining that the Governor was not embraced in that term as used in article 14, section 1—see notes thereto. *Warfield v. Vandiver*, 101 Md. 111.

It was only in article 30 of the bill of rights (of 1851), and article 4, sections 4 and 9, of the constitution of 1851, that judicial officers were subject to removal by the Governor. *Cantwell v. Owens*, 14 Md. 227.

Sec. 5. After the election for Judges, to be held as above mentioned, upon the expiration of the term, or in case of the death, resignation, removal, or other disqualification of any Judge, the Governor shall appoint a person duly qualified to fill said office, who shall hold the same until the next general election for members of the General Assembly, when a successor shall be elected, whose tenure of office shall be the same, as hereinbefore provided; but if the vacancy shall occur in the city of Baltimore, the time of the election shall be the fourth Wednesday in October following.

[Sec. 5. After the election for Judges, as hereinbefore provided, there shall be held in this State, in every fifteenth year thereafter, on the Tuesday after the first Monday in November of such year, an election for Judges as herein provided; and in case of death, resigna-