

The act of 1872, ch. 310, purporting to authorize the court of appeals to reopen and rehear certain cases and pass such judgment, decrees, etc., as right and justice require, held invalid under the portion of this section providing that the "judgment of the court shall be final and conclusive"; except for special cases and on certain equitable grounds, courts may not interfere with or disturb their final judgments and decrees after the lapse of the term at which they were rendered. *Dorsey v. Gary*, 37 Md. 74.

An appeal held to have been regularly placed on the docket of the court of appeals under this section and art. 5, sec. 43, of the An. Code. After a judgment has become enrolled and an appeal therefrom entered, bond to stay execution filed and the record transmitted to the court of appeals, the trial court has no jurisdiction to entertain a motion to strike out the judgment on the ground of surprise and fraud. *United Rys. Co. v. Corbin*, 109 Md. 54.

In view of the last clause of this section, the necessity for a rule argument no longer exists and such rules are never laid. *Moore v. Taylor*, 81 Md. 649.

Sec. 16. Provision shall be made by law for publishing reports of all causes argued and determined in the Court of Appeals, which the Judges shall designate as proper for publication.

See art. 80, sec. 5, of the An. Code.

Sec. 17. There shall be a Clerk of the Court of Appeals, who shall be elected by the legal and qualified voters of the State, who shall hold his office for six years, and until his successor is duly qualified; he shall be subject to removal by the said Court for incompetency, neglect of duty, misdemeanor in office, or such other cause or causes as may be prescribed by law; and in case of a vacancy in the office of said Clerk, the Court of Appeals shall appoint a Clerk of said Court, who shall hold his office until the election and qualification of his successor, who shall be elected at the next general election for members of the General Assembly; and the person so elected shall hold his office for the term of six years from the time of election.

The portion of this section dealing with the removal of the clerk contrasted with a similar portion of sec. 37—see notes to the latter section. *Dowling v. Smith*, 9 Md. 268.

This section referred to in construing secs. 11, 12 and 25—see notes to the latter section. *Wells v. Munroe*, 86 Md. 450.

Sec. 18. It shall be the duty of the Judges of the Court of Appeals, as soon after their election under this Constitution as practicable, to make and publish rules and regulations for the prosecution of appeals to said appellate court whereby they shall prescribe the periods within which appeals may be taken, what part or parts of the proceedings in the court below shall constitute the record on appeal and the manner in which such appeals shall be brought to hearing or determination, and shall regulate, generally, the practice of said Court of Appeals so as to prevent delays and promote brevity in all records and proceedings brought into said court, and to abolish and avoid all unnecessary costs and expenses in the prosecution of appeals therein; and the said Judges shall make such reductions in the fees and expenses in the said court as they may deem advisable. It shall also be the duty of said Judges of the Court of Appeals, as soon after their election as practicable, to devise and promulgate by rules or orders, forms and modes of framing and filing bills, answers and other proceedings and