

pleadings in Equity; and also forms and modes of taking and obtaining evidence, to be used in Equity cases; and to revise and regulate, generally, the practice in the Courts of Equity of this State, so as to prevent delays, and to promote brevity and conciseness in all pleadings and proceedings therein, and to abolish all unnecessary costs and expenses attending the same. And all rules and regulations hereby directed to be made shall, when made, have the force of Law until rescinded, changed or modified by the said Judges, or the General Assembly.

For a rule adopted by the court of appeals under this section *re* suits by persons under disability, see art. 16, sec. 162, An Code. *In re Paca*, 140 Md. 51.

This section referred to in upholding the validity of the portion of the act of 1880, ch. 6, directing a judge who discharges a party on *habeas corpus* on the ground of the unconstitutionality of the statute under which he was convicted, to reduce his opinion to writing within five days and transmit the original papers, etc., to the clerk of the court of appeals, and directing court to consider the case at the earliest practicable time and give its opinion in writing. *State v. Glenn*, 54 Md. 595.

A rule of the court of appeals held to modify a statute, in view of the last sentence of this section. *Meloy v. Squires*, 42 Md. 381. And see *Gabelein v. Plaenker*, 36 Md. 64.

The court of appeals, as well as the legislature, has authority under this section to change or modify a rule of court. *Davis v. State*, 38 Md. 61 (dissenting opinion).

### *Part III:—Circuit Courts.*

Sec. 19. The State shall be divided into eight Judicial Circuits, in manner following, viz: The Counties of Worcester, Somerset, Dorchester and Wicomico,<sup>1</sup> shall constitute the First Circuit; the Counties of Caroline, Talbot, Queen Anne's, Kent and Cecil, the Second; the Counties of Baltimore and Harford, the Third; the Counties of Allegany, Washington and Garrett,<sup>2</sup> the Fourth; the Counties of Carroll, Howard and Anne Arundel, the Fifth; the Counties of Montgomery and Frederick, the Sixth; the Counties of Prince George's, Charles, Calvert and St. Mary's, the Seventh, and Baltimore City, the Eighth.

This section (as it stood in the Constitution of 1851) referred to in construing sec. 8—see notes thereto. How Baltimore city and Baltimore county are treated by the Constitution. *Wright v. Hamner*, 5 Md. 375. And see *State v. Shillinger*, 6 Md. 450.

This section referred to in construing sec. 8—see notes thereto. *Kimball v. Harman*, 34 Md. 405.

Sec. 20. A Court shall be held in each County of the State, to be styled the Circuit Court for the County in which it may be held. The said Circuit Courts shall have and exercise, in the respective Counties, all the power, authority and jurisdiction, original and appellate, which the present Circuit Courts of this State now have and exercise, or which may hereafter be prescribed by Law.

Under this section and art. 15, sec. 2, the circuit court for Anne Arundel county was held to be clothed with all the powers possessed by its predecessor and was authorized to dispose of the pending case as if it had originated with it. *Truett v. Gill*, 32 Md. 150.

For a case dealing with the jurisdiction of the circuit courts under the Constitution of 1851, to issue writs of error, and how the Constitution should be construed, see *Manly v. State*, 7 Md. 145.

See notes to secs. 19 and 21.

<sup>1</sup> Wicomico formed since the adoption of this Constitution.

<sup>2</sup> Garrett formed since the adoption of this Constitution.