

Sec. 21. For each of the said circuits (excepting the eighth and the third) there shall be a chief judge and two associate judges to be styled judges of the Circuit Court to be elected or appointed as herein provided, and for the third circuit there shall be a chief judge and three associate judges to be styled judges of the Circuit Court to be elected or appointed as herein provided. And no two of said associate judges for any of the said circuits except the third circuit shall, at the time of their election or appointment or during the term for which they may have been elected or appointed reside in the same county. If two or more persons shall be candidates for associate judge in the same county in any of the circuits except the third circuit, that one only in said county shall be declared elected who has the highest number of votes in the circuit. In case any two candidates for associate judge in any of the circuits except the third circuit, residing in the same county, shall have an equal number of votes greater than any other candidates for associate judge in the circuit, it shall be the duty of the Governor to order a new election for one associate judge; but the person residing in any other county of the circuit and who has the highest number of votes shall be declared elected. The said judges shall hold not less than two terms of the Circuit Court in each of the counties composing their respective circuits, at such times as are now or may hereafter be prescribed to which jurors shall be summoned; and in those counties where only two such terms are held, two other and intermediate terms, to which jurors shall not be summoned; they may alter or fix the times for holding any or all terms, until otherwise prescribed, and shall adopt rules to the end that all business not requiring the interposition of the jury shall be, as far as practicable, disposed of at said intermediate terms. One judge in each of the above circuits, including the third circuit, shall constitute a quorum for the transaction of any business; and the said judges or any of them may hold special terms of their Courts, whenever in their discretion, the business of the several counties renders such terms necessary. The additional associate judge for the third circuit herein provided for, shall be elected by the qualified voters of Baltimore and Harford counties, at the first election that shall be held in said counties subsequent to the adoption of this amendment, and the judge so elected shall be subject to the same constitutional provisions, hold his office for the same term of years, receive the same compensation and have the same powers as are herein provided for the other associate judges in the third circuit.<sup>1</sup>

The portion of this section providing that one judge shall constitute a quorum, referred to in construing art. 8 of the Declaration of Rights—see notes thereto. *Robey v. Prince George's County*, 92 Md. 163. And see *Beasley v. Ridout*, 94 Md. 659.

Non-jury terms or, as designated in this section, "intermediate terms to which jurors shall not be summoned," held to be *regular* terms. *Downs v. State*, 78 Md. 130.

This section referred to in upholding certain rules of the circuit court for Prince George's county dealing with jury and non-jury cases. *Gambrill v. Parker*, 31 Md. 5. See notes to art. 4, secs. 19 and 32.

Sec. 22. Where any Term is held, or trial conducted by less than the whole number of said Circuit Judges, upon the decision or determination

<sup>1</sup> Thus amended by the act of 1912, ch. 515, ratified November 4, 1913.