

shall be permitted to continue in office in accordance with the resolution of the General Assembly in each case. 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.¹

Sec. 7.

Cited but not construed in *Ex parte Bowles*, 164 Md. 325.

Sec. 8.

In view of this section, action of lower court in refusing to remove case will be affirmed in absence of evidence of arbitrary action, or abuse of, or refusal to exercise, discretion. *Allers v. State*, 144 Md. 78.

There is no right of removal in a proceeding for a writ of mandamus. *Baltimore v. Libowitz*, 159 Md. 29.

This section cited in *Lee v. State*, 161 Md. 432.

Pleas attacking propriety of proceedings in grand jury room not required to be filed in court before removal of case to another jurisdiction. *Coblentz v. State*, 164 Md. 563.

Sec. 15.

Four judges of Court of Appeals constitute quorum. Motion for re-argument where case affirmed because judges were equally divided, overruled. *Ewell v. Kefauver*, 148 Md. 317.

Sec. 18.

See notes to art. 8 of Declaration of Rights.

Sec. 20.

This section referred to in construing art. 23, sec. 404, of Code—see notes thereto. *Public Serv. Commn. v. Byron*, 153 Md. 476.

Cited in dissenting opinion in *In re Rickell's Estate*, 158 Md. 665.

Sec. 21. For each of the said circuits, excepting the eighth and the third and the sixth, 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 and for the sixth 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 and sixth circuits 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 and sixth circuits, 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 and sixth circuits, residing in the same county shall have an equal number of votes greater

¹ Thus amended by act of 1931, ch. 479, and ratified by the people November, 1932.