

6. The fifth Congressional district shall be composed of St. Mary's county, Charles county, Calvert county, Anne Arundel county, with the city of Annapolis, Prince George's county, Montgomery county, Howard county, and the first, second, third, fourth, eighth, and thirteenth districts of Baltimore county, and shall be entitled to choose one Representative.

7. The return judges of the elections of Representatives to Congress of the first, second, third, fourth, eighth, and thirteenth districts of Baltimore county shall make a return separate from the return to be made by the return judges of the remaining seven districts, and the return judges of the first seven wards of the city of Baltimore shall make a return separate from the return to be made by the judges of the remaining thirteen wards.

ARTICLE XXXVII.

Evidence.

The Act of 1862, ch. 147, repeals section 33 of this Article, and substitutes the following:

SEC. 1. Whenever any commission or process in the nature of a Commission to take testimony, shall be issued by any court of any of the United States, or by any court of any district or Territory of the United States, directed to any person either by name or otherwise in this State, and any witness who shall have been duly notified so to do, shall fail to attend at the execution of said commission, or refuse to answer such question as may be propounded to him under such commission, it shall be the duty of the commissioner therein named, at the request of either party to the suit in which it is proposed to use such testimony, or his attorney, to certify such failure to attend, or refusal to testify, to the judge of the Circuit Court of the city or county, where said commission is to be executed, and the said judge on receiving the said certificate, shall forthwith issue his order, commanding the said delinquent witness on some day and at some place therein appointed, to appear before him and shew cause why he the said witness has so failed to attend or refused to tes-