

pearance, the clerk shall certify the fact of their not appearing, and the disqualification of the judge, to any judge of the Court of Appeals, if the case be pending in any of the Circuit Courts, who shall appoint a proper person as a special judge to try the same as directed in the preceding sections; and if the case be pending in either of the courts of Baltimore city having equity jurisdiction, the clerk thereof shall certify the fact of such non-appearance and disqualification, and transmit the papers in the case with a copy of the docket entries, to the other court, the judge whereof shall try the case as if it had been instituted in his court.

6. Whenever a judge of any Circuit Court, or of any of the courts of Baltimore city shall be unable, by reason of sickness, or any other cause, to hold any regular law or equity term of his court, or to sit in any cause or causes, civil or criminal, pending in his court, it shall be the duty of the clerk of such court to certify said inability, and the cause thereof to any judge of the Court of Appeals, who on the receipt of such certificate shall appoint a proper person as a special judge to hold such term and try all cases in said court, whether civil or criminal, which by the rules thereof, are or may be ready for trial at such term; and any special judge so appointed shall have full power to summon grand and petit jurors, and to do all things necessary to the holding of such term or the trial of such causes.

7. If any special judge shall die, resign, or refuse to act, another may be appointed in his place, and appointments may be made until a judge shall be procured who will act.

8. In all cases in which the State shall be a party to a cause, the State's Attorney for the county or city in which the case may be for trial, may consent for and on behalf of the State to the appointment of a person to try the same.

9. Every person who shall be appointed a special judge under any of the aforesaid provisions, before he acts as such, shall take an oath before the clerk of the court, that he will try the cases he is appointed to try without partiality or prejudice, to the