

judge, shall notify the judge of the other court, having equity jurisdiction, who shall try the case and act therein as if it had been instituted in his court.

76. If any of the defendants in any equity cause wherein the judge shall be disqualified as aforesaid, are non-residents, and shall not appear in compliance with an order of publication within ten days after the time fixed by said order for their appearance, 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.

When defendants in equity are non-resident.

77. 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.

When a judge unable to sit from sickness, etc.

78. If any special judge shall die, resign, or refuse to act, another may be appointed in his place, and

When a special judge dies, etc.