

next preceding his attaining said age 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. Retiring judges for inability

SEC 4 Any judge shall be removed from office by the governor, on conviction in a court of law of incompetency, of wilful neglect of duty, misbehavior in office, or any other crime, or on impeachment, according to this Constitution in office, or on the address of the General Assembly, two-thirds of each house concurring in such address, and the accused having been notified of the charges against him, and having had opportunity of making his defence. Removal of judges for incompetency, etc.

SEC 5 After the election for judges, to be held as above-mentioned, upon the expiration of the term, or in case of the death, resignation, removal, or other disqualification of any judge, the governor shall appoint a person duly qualified to fill said office, who shall hold the same until the next general election for members of the General Assembly, when a successor shall be elected, whose tenure of office shall be the same as hereinbefore provided; but if the vacancy shall occur in the city of Baltimore the time of election shall be the fourth Wednesday in October following. Governor to appoint in case of vacancy
25 Md 173.

SEC 6 All judges shall, by virtue of their offices, be conservators of the peace throughout the State; and no fees, perquisites, commission, or reward of any kind, shall be allowed to any judge in this State, besides his annual salary, for the discharge of any judicial duty. Judges to be conservators of the peace
No fees to judges
1 Md. 368,
8 Md 227.

SEC 7 No judge shall sit in any case wherein he may be interested, or where either of the parties may be connected with him, by affinity or consanguinity, within such degrees as now are or may hereafter be prescribed by law, or where he shall have been of counsel in the case. 1852, c 263,
1865, c 66
Judges disqualified.
22 Md 458,
25 Md 173

SEC 8 The parties to any cause may submit the same to the court for determination without the aid of a jury, and in all suits or actions at law, issues from the Orphans' Court, or from any court sitting in equity, and in all cases of presentments or indictments for offences which are, or may be, punishable by death, pending in any of the courts of law of this State, having jurisdiction thereof, upon suggestion in writing under oath of either of the parties to said proceedings, that such party cannot have a fair and impartial trial in the court in which the same may be pending, the said court shall order and direct the record of proceedings in such suit or action, issue, presentment, or indictment, to be transmitted to some other court, having jurisdiction in such case, for trial; but in all other cases of presentment or indictment pending in any of the courts of law in this State, having jurisdiction thereof, in addition to the suggestion in writing of either of the parties to such presentment or indictment that such party cannot have a fair and impartial trial in the court in which the same may be pending, it shall be necessary for the party making such suggestion to make it satisfactorily appear to the court that such suggestion is true, or that there is reasonable ground for the same; and thereupon the said court shall order and direct the record of proceedings in such presentment or indictment to be transmitted to some other court, having jurisdiction in such cases, for trial; and such right of removal shall exist upon suggestions in cases when all the judges of said court may be disqualified under the provisions of this Constitution to sit in any such case, and said court to which the record of proceedings in such suit or action, issue, presentment, or indictment may be so transmitted, shall hear and determine the same in like manner as if such suit or action, issue, presentment, or indictment had been originally instituted therein; and the General Assembly shall make such modification of existing law as may be necessary to regulate and give force to this provision. 1852, c 169, 315,
1854, c 325,
1874, c 364
Trial without jury
2 Md 274, 5 Md.
370, 6 Md 449,
7 Md 135, 8 Md
322, 11 Md 362,
19 Md 15, 20
Md 18, 29 Md
263, 406, 30 Md
197, 31 Md 5,
32 Md 493, 581,
33 Md 500, 34
Md 15, 401, 521,
38 Md 158, 43
Md 421, 44 Md
530, 6 H. & J
270
Removal of cases