

shall not be diminished nor increased during the continuance of said judges in office

Assignment of judges.

SEC 32 It shall be the duty of the said Supreme Bench of Baltimore City, as soon as the judges thereof shall be elected and duly qualified, and from time to time, to provide for the holding of each of the aforesaid courts, by the assignment of one, or more, of their number to each of the said courts, who may sit, either separately or together, in the trial of cases; and the said Supreme Bench of Baltimore City may, from time to time, change the said assignment, as circumstances may require and the public interest may demand; and the judge or judges, so assigned to the said several courts, shall, when holding the same, have all the powers and exercise all the jurisdiction which may belong to the court so being held; and it shall also be the duty of the said Supreme Bench of Baltimore City, in case of the sickness, absence, or disability of any judge or judges, assigned as aforesaid, to provide for the hearing of the cases, or transaction of the business assigned to said judge or judges, as aforesaid, before some one or more of the judges of said court

May be changed from time to time

Jurisdiction.

Sickness, absence, etc.

1870, c 177
General terms
80 Md 558, 81
Md 239, 329, 33
Md 288, 481, 34
Md 42, 35 Md
249, 39 Md 309

Rules to be made

Jurisdiction.

SEC 33. The said Supreme Bench of Baltimore City shall have power, and it shall be its duty to provide for the holding of as many general terms as the performance of its duties may require, such general terms to be held by not less than three judges; to make all needful rules and regulations for the conduct of business in each of the said courts, during the session thereof, and in vacation, or in chambers, before any of said judges; and shall also have jurisdiction to hear and determine all motions for a new trial in cases tried in any of said courts, where such motions arise, either on questions of fact, or for misdirection upon any matters of law, and all motions in arrest of judgment, or upon any matters of law determined by the said judge, or judges, while holding said several courts, and the said Supreme Bench of Baltimore City shall make all needful rules and regulations for the hearing before it of all of said matters; and the same right of appeal to the Court of Appeals shall be allowed from the determination of the said court on such matters, as would have been the right of the parties if said matters had been decided by the court in which said cases were tried *

Right of appeal

No appeal on decisions on appeal from justices of the peace

Test of writs

Quorum, three judges

Cases pending to be proceeded with

SEC 34 No appeal shall lie to the Supreme Bench of Baltimore City, from the decision of the judge, or judges, holding the Baltimore City Court in case of appeal from a justice of the peace; but the decision by said judge or judges shall be final; and all writs or other process issued out of either of said courts, requiring attestation, shall be attested in the name of the chief judge of the said Supreme Bench of Baltimore City

SEC 35. Three of the judges of said Supreme Bench of Baltimore City shall constitute a quorum of said Court.

SEC 36 All causes depending, at the adoption of this Constitution, in the Superior Court of Baltimore City, the Court of Common Pleas, the Criminal

* The act of 1870, ch 177, entitled An act to change the jurisdiction of the Supreme Bench of Baltimore City, and re-apportion and enlarge the jurisdiction of the Baltimore City Court, the Superior Court of Baltimore City, and the Court of Common Pleas, as provided by section 39, of Article 4, of the Constitution, enacts, *inter alia* that the judge before whom any case may hereafter be tried, in either the Baltimore City Court, the Superior Court of Baltimore City, or in the Court of Common Pleas, shall have exclusive jurisdiction to hear and determine, and the said judge shall hear and determine all motions for a new trial where such motions arise, either on questions of fact or for misdirection upon any matters of law, and all motions in arrest of judgment, or upon any matters of law, determined by the said judge; and all such motions shall be heard and determined within thirty days after they are made.