

shall be substituted for and become the records of said court, in lieu of the worn-out records; and the mayor and city council of the city of Baltimore, and the county commissioners of the several counties respectively, shall levy such sum of money as they shall deem a fair compensation for the labor of the clerk in making such new records.

CIRCUIT COURTS FOR THE COUNTIES.

7. The Circuit Courts for the several counties are the highest common-law courts of record and original jurisdiction within this State, and each has full common law powers and jurisdiction in all civil and criminal cases within its county (except where by law the jurisdiction has been taken away or conferred upon another tribunal), and all the additional powers and jurisdiction given by the Constitution and by law

Art 29, s 44
1773, c 1, 1785,
c 87, 1804, c. 55,
1805, c 65
Jurisdiction
26 Md 534, 29
Md 465, 31 Md
2, 37 Md 125,
39 Md 160, 40
Md 380

8. Each of the circuit judges of the counties, or judicial circuits, as laid off, constituted and designated by the Constitution, may make orders at common law at any place in their circuit to take effect in any part of their circuit, and may require in writing the original papers in any case, or abstracts and transcripts to be produced before them, or either of them, wherever they or either of them may be in their circuits; and in all criminal cases tried in the term time of said courts, in which the accused has been allowed to give bail by the court, but the session whereof adjourned or concluded before the accused procured bail, it shall be the duty of the aforesaid court or courts to pass an order prior to adjournment, directing the clerk of the said Circuit Court, in the absence of all of the judges from the court, in which the case may have arisen, to take the bail previously fixed by the said court, upon condition that the party offering to become security shall swear or affirm, as the case may be, that he is worth the amount of the bail in real or personal estate, and further, the clerk must be satisfied of the verity of said affidavit or affirmation.

1868, c. 52
Powers of
circuit judges.

May require
production of
original papers.

Bail in criminal
cases.

Oath of security.

CONCURRENT JURISDICTION WITH JUSTICES.

9. In all cases where the amount claimed, or the thing in action, exceeds the sum or value of fifty dollars, and justices of the peace have jurisdiction, the several Circuit Courts for the counties shall have concurrent jurisdiction with justices of the peace.

Art 51, s 16
1852, c 249, s 4.
Concurrent
jurisdiction.
41 Md 196, 200,
43 Md. 64

SPECIAL JUDGES.

10. If the judge of any Circuit Court, or any court in Baltimore city, is connected with a party in controversy by consanguinity or affinity within the fourth degree, counting down from the common ancestor to the more remote, he shall be disqualified from sitting in such cause; nor shall he sit in any cause wherein he may be interested, or in which he shall have been of counsel, nor in any case where, in his opinion, it would be improper for him to sit, by reason

1865, c 66.
In what causes
judges disqual-
ified from
sitting.
9 Md 324, 22
Md 447, 25 Md
173.