

Other offices,
by whom
decided.

120. All cases of contested elections of any of the officers not provided for in the Constitution or in the preceding section shall be decided by the judges of the several Circuit Courts, each in his respective circuit, and by the Superior Court of Baltimore city, in the city of Baltimore.

Mode of pro-
ceeding
and costs.

121. Each judge of the Circuit Court and of the Superior Court of Baltimore city may adopt such modes of proceeding and adjudging costs in cases of contested elections, as to him shall seem most satisfactory, but the rules of taking testimony in such cases shall be the same as those which regulate the taking of testimony in contested election cases cognizable by the House of Delegates.

Right of
appeal.

122. If either party shall deem himself aggrieved by the decision of any of the Circuit Courts or the Superior Court of Baltimore city, in cases of contested elections, he shall have a right of appeal to the Court of Appeals, as in other cases, said appeal to be taken within five days from the date of the decision complained of, and shall be heard and decided by the Court of Appeals, as soon after transmission of the record as may be practicable, and the testimony taken in such cases shall be sent up to the Court of Appeals as part of the record.

Notice of con-
test.

123. The party intending to contest an election for the Senate or House of Delegates, shall give notice of such intention to the person elected, or in case of a tie vote, to the person against whom the contest is to be instituted, within thirty days after the judges of election shall have made known publicly the state of the polls, unless at a special election to fill a vacancy, when such notice shall be given within ten days after the state of the polls is announced by the judges of election.

Notices, how
delivered.

124. Such notices shall be delivered in writing at the usual residence of the person returned, and if he be absent, shall be left there.

Notice from
justice of
the peace.

125. The party intending to make examination shall, after such notice, apply to some justice of the peace of the county or city wherein the election is contested, and shall obtain a notice under his hand and seal, directed to the opposite party, requiring him to attend in person or by attorney and cross-examine witnesses.

Attendance of
witnesses.

126. The justice in such cases shall have the usual power to coerce the attendance of witnesses.