

THE OATH BEFORE THE CLERK OF THE CIRCUIT COURT, OR THE CLERK OF THE SUPERIOR COURT OF BALTIMORE CITY.

(2) EXCEPT AS PROVIDED IN ARTICLE XV, § 10 OF THE CONSTITUTION, THE CLERK OF A CIRCUIT COURT OR THE SUPREME BENCH OF BALTIMORE CITY OR A COURT OF THE SUPREME BENCH OF BALTIMORE CITY SHALL TAKE THE OATH BEFORE A JUDGE OF THE COURT OR THE SUPREME BENCH.

(3) THE CLERK OF AN APPELLATE COURT SHALL TAKE THE OATH BEFORE THE GOVERNOR.

REVISOR'S NOTE: This section is new language and is a synthesis of the various oath provisions of the Code as they apply to court officers (Art. 16, §6; Art. 26, §14; Art. 26, §153(c); Art. 26, §154(d); Art. 70, §4; Art. 70, §13; and Art. 87, §1). The oath prescribed by Art. 1, §6 of the Constitution is to be taken by any person "who holds an office of profit or trust". An additional oath may be required, as for example in the case of a grand jury clerk or stenographer who is sworn to secrecy; or a deputy clerk or sheriff who takes the additional oath prescribed in Art. 70, §13 - (subsection (b) of this section).

The provisions of subsection (c) are derived from Art. 70. Paragraph (1) is from §7, paragraph (2) is from §4, and paragraph (3) is from §2.

The provisions of Art. 70, §8 which deal with the keeping of a test book appear in § 2-502 of this title.

The provisions of Art. 70, §§ 2, 7, and 13 relating to the oaths of non-court officers will appear in the Property, Testamentary Law, or State and Local Government Articles and are not proposed for repeal at this time.

The references in subsection (c) to Art. XV, §10 of the Constitution are included since that section allows a constitutional officer to qualify for office by taking the oath either before a person authorized by law to administer it, or before the Governor or a clerk of a court of record.