

APPENDIX TO COMPARISON OF CONSTITUTIONS

every case an opinion, in writing, shall be filed within three months after the argument, or submission of the cause;

Sec. 16. Provision shall be made by Law for publishing Reports of all causes, argued and determined in the Court of Appeals and in the intermediate courts of appeal, which the judges thereof, respectively, shall designate as proper for publication.

Sec. 21. . . . Notwithstanding any other provision of this Article the vacancy in Montgomery County created by the adoption of this amendment shall not be filled by appointment as provided in Section 5 of this Article, but at the first biennial general election for Representatives in Congress, after the adoption of this amendment a judge shall be elected by the qualified voters of Montgomery County to fill such vacancy in such county. Any other vacancy in the office of Judge of the Circuit Court for Montgomery County and any vacancy in the second judicial circuit shall be filled as provided in Sections 3 and 5 of this Article, except that the person initially appointed to fill the vacancy in the second judicial circuit shall be a resident of Kent County.

The said judges shall hold such terms of the Circuit Court in each of the counties composing their respective circuits, at such times as are now prescribed or may hereafter be prescribed by rules or regulations by the Court of Appeals or otherwise by law. One judge in each of the first seven circuits shall constitute a quorum for the transaction of any business; and the said judges, or any of them, may hold special terms of their Courts, when in their discretion, the business of the several counties renders such terms necessary.

All provisions of the Constitution of Maryland and all Acts of the General Assembly relating to the Court of Appeals or any other courts, and all rules heretofore adopted by the Court of Appeals, not inconsistent with the provisions of the sections amended or added by this amendment, shall remain in full force and effect unless and until amended or repealed by proper authority. All salaries now prescribed by law for associate judges of the Circuit Courts shall continue to apply to all judges (including chief judges) of the Circuit Court. No member of the General Assembly at which either of these amendments was proposed, or at which the number or salary of judges

for any of the eight circuits or for any of the counties may be or may have been increased or decreased by the General Assembly from time to time, if otherwise qualified, shall be ineligible for appointment or election as judge of the Court of Appeals or any other court by reason of his membership in such General Assembly.

In the event and to the extent of any inconsistency between the provisions of any section amended or added by these amendments and any of the other provisions of this Constitution or the provisions of any existing law, the provisions of the sections amended or added shall prevail, and such other provisions shall be repealed or abrogated to the extent of such inconsistency, except Section 35A of Article III of this Constitution; provided, however, that in the event of any inconsistency between the provisions of the sections thus amended or added and any of the other provisions of the sections thus amended or added and any of the other provisions of this Constitution as amended by any other amendments which may be adopted at the same time or times as these amendments, i.e. at the election held in November, 1944, or at the election held in November, 1954, or at the election held in November, 1960, the changes made by these amendments and all such other amendments to this Constitution shall all be given effect.

Sec. 22. Where any Term is held, or trial conducted by less than the whole number of said Circuit Judges, upon the decision, or determination of any point, or question, by the Court, it shall be competent to the party, against whom the ruling or decision is made, upon motion, to have the point, or question reserved for the consideration of the three Judges of the Circuit, who shall constitute a court in *banc* for such purpose; and the motion for such reservation shall be entered of record, during the sitting, at which such decision may be made; and the several Circuit Courts shall regulate, by rules, the mode and manner of presenting such points, or questions to the court in *banc*, and the decision of the said Court in *banc* shall be the effective decision in the premises, and conclusive, as against the party, at whose motion said points, or questions were reserved; but such decision in *banc* shall not preclude the right of Appeal, or writ of error to the adverse party, in those cases, civil or criminal, in which appeal, or writ of error to the Court of Appeals may be allowed by Law. The