The appeal may be prosecuted without payment of costs if the trial judge so orders, or if permitted by the Court of Appeals on application. If the State shall forthwith enter an appeal at the time of the decision of the case such appeal shall operate as a stay of the judge's order, but the judge may, in his discretion, in such case admit the petitioner to bail for his appearance before him when required.

3D.   The provisions of Sections 3A, 3B and 3C shall not apply to any case unless the petitioner is detained for or confined as the result of a prosecution for a criminal offense.

SEC. 2.   *And be it further enacted,* That this Act shall take effect June 1, 1945.

Approved April 23, 1945.

CHAPTER 703.

(Senate Bill 37)

AN ACT to propose an amendment to Section 5 of Article 4 of the Constitution of the State of Maryland, title "Judiciary Department", sub-title "Part 1. General Provisions", relating to the vacancies in the office of the Chief Judge of the Supreme Bench of Baltimore City and to provide for the submission of said amendment to the qualified voters of the State of Maryland for adoption or rejection.

SECTION 1.   *Be it enacted by the General Assembly of Maryland* (three-fifths of all the members of each of the two Houses concurring), That the following be and the same is hereby proposed as an amendment to Section 5 of Article 4 of the Constitution of the State of Maryland, title "Judiciary Department", sub-title "Part 1. General Provisions", the same, if adopted by the legally qualified voters of the State, as herein provided, to become Section 5 of Article 4 of the Constitution of the State of Maryland.

PART I—GENERAL PROVISIONS.

SEC. 5.   Upon every occurrence or recurrence of a vacancy through death, resignation, removal, disqualification by reason of age or otherwise, or expiration of the term of fifteen years of any judge, or creation of the office of any judge, or in any other way, the Governor shall appoint a person duly qualified to fill said office, who shall hold the same until the election and