

Vacancy.

willful neglect of duty or misdemeanor in office in the same manner that the clerks of the courts are removable. In the event of any vacancy in the office of the Register of Wills, said vacancy shall be filled by the Judges of the Orphans' Court, in which such vacancy occurs, until the next general election for Delegates to the General Assembly, when a Register shall be elected to serve for six years thereafter.

Sappington vs. Scott, 14 Md., 40.

Part VI—Justices of the Peace.

Appointment.

Constables.

SEC. 42. The Governor, by and with the advice and consent of the Senate, shall appoint such number of Justices of the Peace and the County Commissioners of the several counties, and the Mayor and City Council of Baltimore, respectively, shall appoint such number of Constables, for the several election districts of the counties and wards of the city of Baltimore, as are now or may hereafter be prescribed by law; and Justices of the Peace and Constables so appointed shall be subject to removal by the judge or judges having criminal jurisdiction in the county or city, for incompetency, willful neglect of duty or misdemeanor in office, on conviction in a court of law. The Justices of the Peace and Constables so appointed and commissioned shall be conservators of the peace; shall hold their office for two years, and shall have such jurisdiction, duties and compensation, subject to such right of appeal in all cases from the judgment of Justices of the Peace, as hath been heretofore exercised, or shall be hereafter prescribed by law.

State vs. Mace, 5 Md., 337. Cantwell vs. Owens, 14 Md., 215. Smith vs. Thursby, 28 Md., 244. Herbert vs. Balto. Co., 97 Md., 639. Levin vs. Hewes, 118 Md. Little vs. Hewes, 118 Md. Claude vs. Wayson, 118 Md. Mohler vs. State, 120 Md. Gould vs. Balto., 120 Md.

Vacancies.

SEC. 43. In the event of a vacancy in the office of a Justice of the Peace, the Governor shall appoint a person to serve as Justice of the Peace for the residue of the term; and in case of a vacancy in the office of Constable, the County Commissioners of the county in which the vacancy occurs, or the Mayor and City Council of Baltimore, as the case may be, shall appoint a person to serve as Constable for the residue of the term.

Cantwell vs. Owens, 14 Md., 215. Mayor, etc., of Balto. vs. State, 15 Md., 376. Claude vs. Wayson, 118 Md. Levin vs. Hewes, 118 Md.