

section of the code of public general laws or public local laws of this State, upon the ground, or for the reason, that such act of assembly, or section thereof, or such article or section of the code of public general laws or public local laws is unconstitutional and void, in whole or in part, because contrary to the constitution or bill of rights of this State, or because contrary to the constitution of the United States, it shall be the duty of the said court or judge ordering such release or discharge for said cause to reduce his opinion to writing within five days after ordering said release or discharge, and to transmit the original papers in said case, together with a copy of its or his order of release or discharge, and of his said opinion, under his hand and seal, to the clerk of the court of appeals; and it shall be the duty of the said court to consider the papers so transmitted to its said clerk, including said order of release or discharge, and said opinion, at the earliest practicable period, after the receipt thereof by its said clerk, and to give its opinion in writing upon the case so presented; and the said opinion so given shall have and possess the same authority as if the same was filed in a case formally heard and determined in said court on appeal.

For a case held to be properly before the appellate court for review under this section, see *State v. Glenn*, 54 Md. 593.

This section held to have no application. *Annapolis v. Howard*, 80 Md. 246.

Procedure in Relation to Minors.

1904, art. 42, sec. 18. 1888, art. 42, sec. 18. 1880, ch. 57. 1900, ch. 306.
1904, chs. 98 and 291. 1908, ch. 626.

18. A minor (male or female) under the age of 18 years, may be committed to a juvenile institution for care and guardianship, if such minor be a minor without proper care and guardianship. A minor is deemed to be a "minor without proper care and guardianship" (1) if it is without a proper or permanent place of abode or is without proper care and guardianship; (2) or is neglected or ill-treated by its parent, guardian or custodian; (3) or such parent, guardian or custodian is unable or unwilling to care for or control such minor; (4) or such parent, guardian or custodian is morally depraved, dissipated, addicted to the use of intoxicating drinks or drugs, or is leading an immoral or disorderly life, and it appears that because of such conditions on the part of parent, guardian or custodian such minor is not receiving necessary or reasonable good care and training; (5) or a minor under or apparently under the age of 16 years who may be found habitually walking aimlessly along or being on any street or public highway at an unreasonable hour of the night or early morning, or who is found loitering around any theater or other place of amusement at an unreasonable hour without good reason for doing so, or who may be seen around or found in, around or about questionable resorts or places of amusements, questionable hotels or furnished room houses or houses of ill fame and repute; (6) or if in the discretion of the officer or judge having jurisdiction in such cases it appears by reference to any criminal