

A borrower, since the act of 1845, ch. 352, may maintain his bill in equity, if filed in a reasonable time, for the relief against usury—see art. 49, sec. 4, of the An. Code and notes thereto. *Scott v. Leary*, 34 Md. 398.

Cited but not construed in *Baltimore v. State*, 15 Md. 468.

See art. 49 of the An. Code.

As to Petty Loans, see art. 58A.

Sec. 58. The Legislature, at its first session after the ratification of this Constitution, shall provide by Law for State and municipal taxation upon the revenues accruing from business done in the State by all foreign corporations.

Sec. 59. The office of "State Pension Commissioner" is hereby abolished; and the Legislature shall pass no law creating such office, or establishing any general pension system within this State.

See notes to sec. 30.

Sec. 60. The General Assembly of Maryland shall have the power to provide by suitable general enactment (a) for the suspension of sentence by the court in criminal cases; (b) for any form of the indeterminate sentence in criminal cases, and (c) for the release upon parole in whatever manner the General Assembly may prescribe, of convicts imprisoned under sentence of crimes.¹

ARTICLE IV.

JUDICIARY DEPARTMENT.

Part I:—General Provisions.

Section 1. The Judicial power of this State shall be vested in a Court of Appeals, Circuit Courts, Orphans' Courts, such Courts for the City of Baltimore as are hereinafter provided for, and Justices of the Peace; all said Courts shall be Courts of Record, and each shall have a seal to be used in the authentication of all process issuing therefrom. The process and official character of Justices of the Peace shall be authenticated as hath heretofore been practiced in this State, or may hereafter be prescribed by Law.

The workmen's compensation law of Maryland does not violate this section; the commission is not a court and has not judicial power within the meaning of this section. *Solvuca v. Ryan & Reilly Co.*, 131 Md. 282.

A court of law, within the meaning of the Constitution, is a court of record. The office of justice of the peace is not a court of law. *Weikel v. Cate*, 58 Md. 105; *Charles County v. Wilmer*, 131 Md. 178.

Since the adoption of the Constitution of 1851, the legislature has had no power to appoint a justice of the peace, nor may it vest judicial power in any officer other than those enumerated in this section. A justice of the peace has functions which are not judicial, such as his police powers as conservator of the peace. *Hagerstown v. Dechert*, 32 Md. 383.

The power of the mayor of Hagerstown to try and fine disorderly persons, etc., under a municipal ordinance, held not to be denied by this section; such power is not a part of the judicial power of the state, but of the police power. Nature and extent of the police power. *Shafer v. Muntma*, 17 Md. 335.

See notes to sec. 14.

See art. 15, sec. 2, of the Md. Constitution, and art. 26, An. Code.

¹ This section was added by act of 1914, ch. 453, ratified, November, 1915.