

1931, ch. 323, sec. 90.

92. The provisions of Sections 83 to 91 of this Article shall not apply to Baltimore City, Allegany County, Washington County or Baltimore County.¹

Trial Magistrates System.

1939, ch. 720, sec. 91.

93. (Appointment.) The Governor, by and with the advice and consent of the Senate, shall appoint for every county of the State one justice of the peace for each of the election districts thereof, and such number of justices of the peace at large in the several counties, to be designated "Trial Magistrates," as is hereinafter specified in Section 100.

Secs. 93-114 held valid. *State v. Woelfel* (Judge Melvin, Circuit Court for A. A. Co.), Daily Record, Aug. 7, 1939.

1939, ch. 720, sec. 92.

94. (Jurisdiction.) The authority, powers and civil and criminal jurisdiction of each of the justices of the peace appointed under this sub-title shall, except as modified by this sub-title, be such as may now be vested in any justice of the peace by law applicable to the counties for which they are respectively appointed, or to municipal corporations within their respective limits, or such as may hereafter be prescribed by law, but shall not include the jurisdiction which may be specially conferred by law in the same county upon a justice of the peace for juvenile cases.

Trial magistrates shall have and possess power to suspend sentence in any case within their jurisdiction, provided that such suspension is made at the trial of the case and not after judgment has been pronounced.

In cases of commitment to jail in default of payment of fine, the trial magistrates shall have the power, upon suitable written order to the sheriff or other custodian, to release the prisoners at any time after commitment upon payment of the fine and costs imposed, provided however that a credit of one dollar for each day of imprisonment actually served shall be deducted from the payments herein specified. Records shall be kept by the magistrates of such releases and credits, and the fines and costs so received shall be remitted as in the case of fines and costs imposed and collected as otherwise provided in this sub-title. The sheriffs or other custodian of prisoners shall have no power or authority to release prisoners committed by trial magistrates prior to the expiration of their terms as specified in the commitment papers, except upon the written order of the said magistrates as herein provided, or upon order of a court of competent jurisdiction. No fines or costs shall be paid to any sheriff or other custodian in cases from the magistrates. Release of prisoners otherwise than as herein provided shall be deemed a violation of this sub-title.

1939, ch. 720, sec. 93.

95. (Other Justices.) Any civil or criminal action or proceeding instituted before a justice of the peace, other than a trial magistrate, shall be promptly removed by said justice, by a transfer of the original papers, with a copy of the docket entries, to the nearest or only trial magistrate of the county for trial and determination or other action within his juris-

¹ Sec. 4, ch. 323, acts of 1931, repealed all laws inconsistent therewith to extent of such inconsistency.