

on Sunday nugatory, but when appealed to circuit court, case was heard *de novo*. *Burchett v. State*, 162 Md. 26.

Since art. 52, sec. 13, is not applicable to prosecutions under sec. 157 (vol. 2), An. Code, 1912, accused may not have jury trial below, but is limited to jury trial on appeal; writ of *certiorari* properly refused. Words "nearest justice of the peace," must receive a reasonable interpretation, and fact that some other justice may be nearer by a small distance, does not oust justice of jurisdiction. Warrants held to be amendable under art. 52, sec. 16. Warrants held not sufficiently specific. *Crichton v. State*, 115 Md. 425. And see *Ruggles v. State*, 120 Md. 558.

Judgment of circuit court on appeal under sec. 157 (vol. 2), An. Code, 1912, is final and binding. Method of testing the jurisdiction of the justice—on the ground, for instance, of the unconstitutionality of law—is by writ of *certiorari* to circuit court, and from decision of that court on this question, an appeal lies to court of appeals. *Hendrick v. State*, 115 Md. 556. (See also 59 L. Ed. 385.)

See sec. 162.

1927, ch. 520, sec. 4.

**209.** If any part or parts of this Act, or of any section thereof, shall be held to be unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of this Act, or of any section thereof. The Legislature hereby declares that it would have passed the remaining parts of this Act, or of any section thereof, if it had known that such part or parts thereof, or any section thereof, would be declared unconstitutional.

1939, ch. 228.

**210.** The several police officers and other persons duly authorized to make arrests in this State, including constables and all officers of counties, cities and towns, shall make immediate report to the Commissioner of Motor Vehicles, on forms to be provided by him, of all arrests made on charges of violating the Motor Vehicle Laws of this State, together with the dispositions of said charges on trial before the several trial magistrates of the State; and violation of this section shall be deemed a misdemeanor and, upon conviction, the offender shall be subject to a fine of not more than one hundred dollars (\$100.00).

### **Traffic Court.**

An. Code, 1924, sec. 205. 1912, sec. 159. 1918, ch. 85, sec. 159. 1920, ch. 506, sec. 159. 1924, ch. 554. 1927, ch. 120. 1931, ch. 177. 1935, ch. 362. 1937, ch. 310. 1939, ch. 433, sec. 205.

**211.** There is hereby created a group of justices of the peace of the City of Baltimore at large to be known by the collective term "Traffic Court of Baltimore City".

1939, ch. 433, sec. 205A.

**212.** (Appointment.) In addition to the justices of the peace provided for in Section 712 of Article 4 of the Code of Public Local Laws of Maryland, (1938 Edition), there shall be appointed by the Governor by and with the advice and consent of the Senate from the City of Baltimore at large, four justices of the peace to be known as magistrates of the Traffic Court who shall be of high moral character and reputable members of the bar of the Supreme Bench of Baltimore City, who shall have been actively engaged in the practice of law for at least five years.

The Governor shall designate one of said justices to be known as chief magistrate of the Traffic Court whose duties shall be to care for the general business of said Court and to have complete charge of the administration