

1 Now, they do, I believe, exercise a portion of
2 the judicial power of the State of Maryland. They
3 have the power to commit a man. They have the power to
4 set bail. These are judicial functions. They should
5 be under the control of the Judiciary. Right now, we
6 can't tell the justice of the peace in Montgomery County
7 what to do. In other words, we can't get any uniformity.
8 We can't get any real control of them. We can suggest.
9 They try, as best they can, to follow our suggestions,
10 but I make this as a point.

11 As far as the preliminary hearings are con-
12 cerned, Judge Rasin, I would not ever suggest that the
13 Committee magistrate ought to hold the preliminary hear-
14 ing. This is a function of the trial magistrate, so to
15 speak, or the People's Court. I would strongly oppose
16 any suggestion that the Committee magistrates who would
17 have the right to hold preliminary hearings in felony
18 cases.

19 THE CHAIRMAN: Judge, you will notice that we
20 have provided here, that the Commissioners or Committee
21 magistrates be appointed by the senior resident judge of