

COMPARISON OF CONSTITUTIONS

PROPOSED CONSTITUTION OF 1968	CONSTITUTION OF 1867
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**Section 5.09. Composition.**

The Superior Court shall consist of the number of judges prescribed by law. The number shall be allocated among the counties by law. At least one superior court judge shall reside in each county. Functional divisions of the Superior Court may be established in any county.

of all of which appeal cases the Baltimore City Court shall have exclusive jurisdiction; and the said Court of Common Pleas shall have exclusive jurisdiction in all applications for the benefit of the Insolvent Laws of Maryland, and the supervision and control of the Trustees thereof.

**Sec. 29.** The Circuit Court of Baltimore City shall have exclusive jurisdiction in Equity within the limits of said city, and all such jurisdiction as the present Circuit Court of Baltimore City has; provided, the said Court shall not have jurisdiction in applications for the writ of *habeas corpus* in cases of persons charged with criminal offenses.

**Sec. 30.** The Criminal Court of Baltimore shall have and exercise all the jurisdiction, now held and exercised by the Criminal Court of Baltimore, except in such Appeal Cases as are herein assigned to the Baltimore City Court.

**Sec. 21.** From and after January 1, 1955, there shall be in the third, fourth, fifth, sixth and seventh circuits at least one judge for each county, who shall be a resident of the county in which he shall hold office, . . .

The number of judges for any of the circuits or for any of the counties, may be increased or decreased by the General Assembly from time to time, . . . in the third, fourth, fifth, sixth, and seventh judicial circuits there shall never be less than one judge for each county and in all of the circuits there shall never be less than four for each circuit. . . .

In the first and second judicial circuits no two of said judges of the Circuit Court shall at the time of their election or appointment, or during the term for which they may have been elected or appointed, reside in any one county, except in Cecil County wherein two said judges may reside at one time provided that each of the other counties within the second judicial circuit shall have at least one judge resident therein. . . .

From and after December 1, 1960, there shall be not less than four judges resident in Prince George's County. From and after December 1, 1960, there shall be not less than five judges resident in Montgomery County. . . .

*See Art. IV, Sec. 27 at Section 5.08 for composition of courts in Baltimore City.*