

CONSTITUTIONAL CONVENTION OF MARYLAND

CONSTITUTION OF 1867

PROPOSED CONSTITUTION OF 1968

...pensation and tenure of such employees and that such employees and the Chief Clerk shall be or become members of the Classified City Service of Baltimore or the Classified Service of the State or another classified service or merit system which may be hereafter established. Such employees shall perform such duties as may be prescribed from time to time by said Court or by Law by the General Assembly. The employees of the Traffic Court of Baltimore City shall be transferred from the Traffic Court to the Municipal Court, as of the first Monday in May, 1961.

(e) After the day immediately preceding the first Monday in May, 1961, no Justice of the Peace of Baltimore City, including the Police Magistrates of Baltimore City, the Chief Police Magistrate of Baltimore City, the Magistrates-at-Large for Baltimore City, the Magistrates of the Traffic Court of Baltimore City, and the Chief Magistrate of the Traffic Court of Baltimore City, shall exercise any of the jurisdiction, or have any of the powers or duties conferred on the Court herein created.

(f) No member of the General Assembly at which this amendment is proposed, if otherwise qualified, shall be ineligible for appointment or election as judge of the Municipal Court of Baltimore City by reason of his membership in such General Assembly.

Part VI. Justices of the Peace.

Sec. 42. The Governor, by and with the advice and consent of the Senate, shall appoint such number of Justices of the Peace, and the County Commissioners of the several counties, and the Mayor and City Council of Baltimore, respectively, shall appoint such number of Constables, for the several Election Districts of the Counties, and Wards of the City of Baltimore, as are now, or may hereafter be prescribed by Law; and Justices of the Peace and Constables, so appointed, shall be subject to removal by the Judge, or Judges having criminal jurisdiction in the county, or city, for incompetency, wilful neglect of duty, or misdemeanor in office, on conviction in a Court of Law. The Justices of the Peace and Constables, so appointed, and commissioned, shall be Conservators of the Peace, shall hold their office for two years, and shall have such jurisdiction, duties and compensation, subject to such right of appeal, in all cases, from the judgment of Justices of

*See those provisions of the proposed Constitution applicable to the District Court.*

Section 5.12. Commissioners.

There may be district court commissioners in the number and with the qualifications prescribed by rule. Commissioners in a district shall be appointed by and serve at the pleasure of that judge of the District Court who shall be designated by rule to appoint commissioners therein. Commissioners may exercise powers only with respect to warrants of arrest, or bail or collateral or other terms of pre-trial release pending hearing, or incarceration pending hearing, and then only as prescribed by rule.