

magistrates of the county, to provide for the appointment of the judges of the court for their tenure, compensation, powers and duties, to generally provide for the administration, practice and procedure before the Court in Dorchester County and to provide for the appointment of a trial magistrate for the county, to fix his powers, salary and clerical assistance."

We find the bill to be defective in several respects.

First of all, the title states that the People's Court is to have "the powers and jurisdiction formerly exercised by the trial magistrates of the county . . . ." However, amendments made to Sections 6 and 12 of Article 52 of the Annotated Code of Maryland (1964 Replacement Volume) in the body of House Bill 841 make significant alterations in the civil jurisdiction of People's Court judges. These changes are not referred to in the title; and this seems to us to be in contravention of Article III, Section 29, of the Constitution of Maryland which requires that the subjects of bills be described in their title.

Perhaps a more serious deficiency appears in the attempt to add a new subsection (g) to Section 97 of Article 52, *supra*. The proposed subsection provides for the appointment of two committing magistrates "for terms of four years each . . . ." Section 97 is a part of the "trial magistrates" subtitle of Article 52. The primary character of all officers appointed pursuant to that subtitle is that of a justice of the peace; in other words, "trial magistrates" and "committing magistrates" are justices of the peace with special powers. Article IV, Section 42, of the Constitution of Maryland provides that "Justices of the Peace . . . shall hold their office for two years . . . ." Therefore, the attempt in House Bill 841 to provide for four year terms for committing magistrates is unconstitutional.

For these reasons it is our opinion that House Bill 841 is unconstitutional.

Very truly yours,

(s) THOMAS B. FINAN,

Attorney General.

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**House Bill No. 940—Kent County—Planning Commission**

AN ACT to add new Section 12(d) to Article 66B of the Annotated Code of Maryland (1965 Supplement), title "Zoning and Planning," subtitle "Planning," to follow immediately after Section 12(c) thereof, and to add new Section 22(b-2) to said Article and title of said Code, subtitle "Zoning," to follow immediately after Section 22(b-1) thereof, to provide and set the compensation for the Planning Commission and Appeals Board of Kent County.