

49. Every elected judge of the circuit court for any of the counties, of the Supreme Bench of Baltimore City, [and] of the Court of Appeals of Maryland *and of the Court of Special Appeals*, shall be paid, after the termination of active service, if he is then at least sixty years of age or when he becomes sixty years of age, a pension or salary calculated at the rate of seven hundred and fifty dollars (\$750.00) per annum for each year, or any part thereof, of active service by appointment and election as a judge of the circuit court for any of the counties, of the Supreme Bench of Baltimore City, [and] of the Court of Appeals of Maryland *and of the Court of Special Appeals*, up to and including sixteen years of such active service, so that the maximum pension or salary for such service payable hereunder to any one person shall not exceed the sum of twelve thousand dollars (\$12,000.00) per annum. In addition to the payment of a pension or salary of seven hundred and fifty dollars (\$750.00) for each year of service, each judge of the Court of Appeals shall be allowed one hundred dollars (\$100.00) for each year of service as a member of the Court of Appeals but, in no event, shall the total pension or salary exceed thirteen thousand six hundred dollars (\$13,600.00) [.] *and each judge of the Court of Special Appeals shall be allowed fifty dollars (\$50.00) for each year of service as a member of the Court of Special Appeals but in no event, shall the total pension or salary exceed twelve thousand eight hundred dollars (\$12,800.00).*

Provided, however, that any elected judge who retired prior to July 1, 1955, or who during the period from July 1, 1955, to July 1, 1962, voluntarily retired from active service after reaching the age of sixty years and before reaching the age of seventy years, and has resumed the practice of law, shall not be entitled to the increases in salary or pension provided by this section, but shall be paid the salary or pension at the rate provided before the passage of this section. A judge who retires and accepts the pension or salary provided by this section shall not during the period of such acceptance engage in the practice of law. A judge who has been receiving the benefits provided by this section and who decides to engage in the practice of law may notify the Governor and Comptroller of such fact, and on the indicated date of his engaging in the practice of law his benefits under this section shall cease and no longer be paid; and such a judge shall never again be paid such benefits. In the event that a retired judge who has never been paid benefits under this section and who has been engaged in the practice of law should thereafter relinquish such practice and notify the Governor and Comptroller of the State of such fact, then, from and after the date of such notification the judge shall be entitled to all the benefits provided by this section. In the case of an elected judge who may serve on the Court of Appeals *or on the Court of Special Appeals* subsequent or prior to service as a circuit court judge for any of the counties or of the Supreme Bench of Baltimore City, the amount of pension per annum shall be calculated according to the total years of active service not exceeding sixteen at the pension rate fixed herein. This section shall apply to all elected judges already retired from active service except as provided herein. Any former judge who accepts any salaried public office or position, municipal, county, State or federal, shall not be paid any pension or salary so long as he remains in such office or position. An elected judge who because of incapacitating illness resigns his position prior to reaching his