

obliterated or defaced, after which the mark or number so assigned shall be regarded as the one thereafter properly to be used within the meaning of this section.

#### PART V.

### **Enforcement of Motor Vehicle Laws—Arrest, Bail, Trial and Appeal.**

An. Code, sec. 158. 1916, ch. 687. 1918, ch. 85, sec. 158.

204. In case any person shall be taken into custody because of a violation of any of the provisions of this sub-title, he shall forthwith be taken in the counties of this State before the nearest Justice of the Peace, committing Magistrate or Police Justice, or if in Baltimore City before the Justice of the Peace of the Traffic Court, and be entitled to an immediate hearing; and if such hearing cannot then be had, he shall be released from custody on giving bond or undertaking executed by a fidelity or surety company authorized to give such bonds in this State, or by a person or persons acceptable as surety or sureties by said magistrate or police justice, such bond or undertaking to be in an amount equal to the maximum amount prescribed as the fine for such offense, and to be conditioned for his appearance at the time and place set for the hearing of the charges preferred against him, or on giving his personal undertaking to appear as aforesaid secured by the deposit of a sum equal to the maximum amount prescribed as the fine for such offense, and in such case bond or undertaking shall not be given or deposit made as aforesaid, the provisions of law in reference to bail in cases of misdemeanor shall apply. In all complaints of the violation of any of the provisions of this sub-title, except as provided in section 206 hereof, the Justice of the Peace, committing Magistrate or Police Justice before whom the alleged offender is taken as aforesaid, shall have jurisdiction to hear and determine such complaint and impose the fine or sentence herein provided, but any person so convicted of any offense under this sub-title shall have the right to appeal from the judgment of such Justice of the Peace, committing Magistrate or Police Justice to the Criminal Court of Baltimore, if convicted in Baltimore City, or court of criminal jurisdiction of any county in which he may be so convicted, and such court on such appeal shall hear the case *de novo*, provided, however, that such appeal be taken within ten days from the date of judgment. Upon appeal being prayed as aforesaid it shall be the duty of the magistrate to endorse upon the papers "appeal prayed," and transmit the same to the proper court as aforesaid. It shall not be necessary in such case, for the Grand Jury to find either presentment or indictment nor shall formal pleadings be required, but the trial of all such cases on appeal shall be had upon the original papers transmitted to said court by the Justice of the Peace, committing Magistrate or Police Justice as aforesaid, the defendant or traverser upon such appeal being entitled to have a jury trial. In the event of such appeal, the judgment or sentence so appealed from shall be stayed by the giving of security as hereinbefore provided for, but in case such security be not given, the fine and costs

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