

tions of Section 4 of this Act; and to hear, try and determine all prosecutions or criminal proceedings for an act done or omitted to be done in the City of Baltimore, the doing of which act, or the omission to do which act, is or may be punishable under any Act of Assembly of this State or under any ordinance of the Mayor or City Council of Baltimore, by pecuniary fine only, not exceeding one hundred dollars; to hear, try and determine the cases of all persons brought before him charged with the violation of laws relating to hawkers and peddlers, and to hear, try and determine the cases of all persons brought before him charged with the offense of indecent exposure; to hear, try and determine the cases of all persons brought before him for Sunday gaming, Sunday work, Sunday sales or Sabbath-breaking; and to hear, try and determine the cases of all persons brought before him charged with being a vagrant or with being an habitually disorderly person (not insane). But it shall be the duty of the said justice before proceeding to hear, try and determine any of the charges aforesaid, to inform the party or parties charged therewith of his or their respective right to a jury trial; and if a jury trial be prayed by the party or parties charged, or if the State's Attorney for said city shall before trial for the alleged offense pray a jury trial on the part of the State, the justice shall forthwith commit or hold the said party or parties to bail for trial in the Criminal Court of Baltimore, and endorse on the commitment or recognizance the fact of a jury trial having been prayed. It is hereby expressly provided that the said justice shall not have power to try and determine any violation of the Public General Laws of this State relating to licenses (except violations of laws relating to hawkers and peddlers heretofore mentioned), and shall not have power to try and determine any violation of Section 682 of this said Article 4, but shall cause all such offenders against the Public General or Local Laws to be committed or held to bail for trial in the Criminal Court of Baltimore. Nothing herein contained shall apply to or affect the jurisdiction conferred upon Police Justices of Baltimore City by Section 140P of Chapter 207 of the Acts of Assembly of the year 1910, codified as Section 157 of Article 56 of the Annotated Code of Public Civil Laws of the year 1912, but the jurisdiction conferred by said last-mentioned section shall be the same as before the passage of said Chapter 777 of the Acts of Assembly of the year 1912.

Lancaster v. State, 90 Md. 211.

*Trials before Justices of the Peace.*

As to waiver of a jury trial before a Justice of the Peace and construction of Acts 1890, ch. 369, and 1894, ch. 281, *see* State ex rel. Lancaster v. Hall, Daily Record, June 28, 1899.

As to discretion of a Justice of the Peace concerning punishment in cases of assault, *see* State v. Hebron, Daily Record, September 3, 1903.

A commitment by a Justice of the Peace imposing an excessive penalty where accused was committed to House of Correction was held void only as to excessive part of penalty, Adams v. Superintendent of House of Correction, Daily Record, April 3, 1903.

The Act 1898, ch. 167, was held to be constitutional *in re*. Loane v. Affelder, Daily Record, July 2, 1898.

As to appeals from magistrates' judgments and trial of same, *see* Messick v. State, 82 Md. 583. Judefund v. State, 78 Md. 510. As to right of jury trial in