

appeals from magistrates' decisions. *see* Danner v. State, 89 Md. 220. As to jurisdiction of magistrates, *see* Roth v. State, 89 Md. 524.

What constitutes a waiver of jury trial.

Baum v. Warden of City Jail, 110 Md. 579.

If jury trial is prayed, accused must be presented and indicted by grand jury before trial in criminal court. Callan v. State, 156 Md. 459.

1912, ch. 777.

632A. In all cases in which any person is tried and committed before any Justice of the Peace assigned to any of the police stations in the City of Baltimore, and sentenced by him to any imprisonment (other than imprisonment in default of payment of fines) or to any fine of over \$50 (exclusive of costs), he may within ten days after sentence, exclusive of the day of sentence, pray an appeal to the Criminal Court of Baltimore upon waiving his right to plead on the trial of said appeal in said Criminal Court, his former jeopardy resulting from his said trial and conviction before said justice, no formal waiver of said right to plead said former jeopardy shall be necessary; and a prayer for an appeal under this section to said Criminal Court shall be construed as a waiver of said right to plead said former jeopardy, and in the event of such appeal being so prayed, the said justice shall forthwith endorse on the commitment the fact of an appeal being prayed, together with a list of the names and addresses of the witnesses for the State, and forthwith transmit the papers, together with a copy of the commitment, with the names and addresses of the witnesses for the prosecution endorsed thereon, to the office of the Clerk of the Criminal Court of Baltimore, and the said person shall thereafter be tried *de novo* in the Criminal Court of Baltimore, in the same manner as if the said case had been originally brought before the said court without the necessity of presentment or indictment by the grand jury; and the said court, upon said trial *de novo*, may impose any sentence authorized by law to be imposed as punishment for the offense charged irrespective of the sentence imposed by the Justice of the Peace below, provided, however, that the trial in the Criminal Court of Baltimore shall be by jury, if demanded by the party charged; provided further that upon the trial in the Criminal Court of Baltimore of such appeals under this section, the same fees and costs shall be taxed in said case on appeal as would obtain in like cases where trial is had upon presentment and indictment by the grand jury; provided, further, that no appeal shall be prosecuted under this section after payment of the fine or after expiration of the sentence imposed by the justice. And, in case of appeal prosecuted under this section, the convicted party shall be entitled to be admitted to bail for his appearance in the Criminal Court of Baltimore, pending the hearing of such appeal, upon furnishing surety to be fixed by the said justice for his appearance in the Criminal Court of Baltimore, or upon furnishing such surety for his said appearance as the Criminal Court of Baltimore may require.

1912, ch. 777.

632B. In all cases in which the convicted person shall have the right of appeal to the Criminal Court of Baltimore, under said Section 632A,