

manner and to the same extent as the Circuit Court for said county could, if such cases had been tried before said Court; provided, however, that the accused, when brought before any such justice, on being informed by him of his right to trial by jury, freely elects to be tried before such justice, and provided further, that a jury trial be not prayed in such case on the part of the State by the State's Attorney. If after a trial before the justice either party shall feel aggrieved by his judgment, there shall be a right of appeal within ten days to the Circuit Court for the said county, and in all cases where a jury trial is prayed by the State or the accused elects to be tried by jury, or appeals from the judgment of the justice, the justice shall take from the accused his recognizance with sufficient surety conditioned for his personal appearance to answer said charge at the then session (if there be a session) of the Circuit Court of said county, or the next session of said Court, if it be not then in session; and in default of the accused entering into such recognizance the justice shall commit him to jail for his appearance at such Court to answer such charge, and shall at once return the recognizance, if there be one, and all papers and proceedings in such case, including a copy of his judgment (in appeal cases), together with the name and residence of the witnesses for the prosecution to the Clerk of said Court, who shall place such case on the appeal docket of said Court and issue subpoenas for the witnesses named by the justice only upon the written order of the State's Attorney, and the case shall be then tried in said Court on the information or warrant. When an appeal shall be taken by the accused after the execution of sentence has begun, by confinement in jail of* the Maryland House of Correction, the justice, on sufficient surety being given for the accused's appearance at Court as hereinbefore required, shall at once transmit an order reciting this fact to the officer in whose custody he may be, and directing his discharge, and in default of such surety being given, the justice shall send a commitment to the Sheriff of the county, commanding him to receive the prisoner and hold him for his appearance at Court to answer said charge; and on the presentation of a copy of such commitment by the Sheriff to the officer in whose custody the prisoner may be, such officer shall at once deliver the prisoner to the Sheriff; and it shall be the duty of the Sheriff of said county, upon receipt of such commitment, to forthwith obtain such prisoner if he be not in his custody.

1924, ch. 184, sec. 489B.

492. The salary of the said police justice designated and appointed, as provided for in Section 491, shall be not less than five hundred dollars (\$500) per annum, of which sum the town of Thurmont shall pay not less than two hundred dollars (\$200) per annum, and the County of Frederick not less than three hundred dollars (\$300) per annum.

P. L. L., 1888, Art. 11, sec. 290. 1918 Code, sec. 490.

493. Whenever the County Commissioners of Frederick County shall create and establish any new election districts, in said county, there shall

*"Or" evidently intended.