

him to bail to appear in or committing him for trial in the Circuit Court for Worcester County, unless upon being brought before a Justice of the Peace and having been informed of his right to a jury trial, as elsewhere provided in this charter, he shall waive said right and elect to be tried before a Justice of the Peace, and if any person shall be adjudged guilty of any such offense under any ordinance or by-laws passed in pursuance of the powers hereby given to any of them, by the Circuit Court aforesaid, or by a Justice of the Peace, any person so found guilty shall be sentenced to pay the fine or penalty prescribed by the said ordinance or by-law, and also the cost of prosecution, and in default of the payment thereof the person so found guilty shall be committed to jail for the length of time required by said ordinance or by-laws, not to exceed the thirty days' limit above provided; and in case the said ordinance or by-laws set no length of time for the offender to stand committed in default of the payment of said fine or penalty, then said offender shall be committed to jail until thence discharged by due course of law. Nothing herein contained shall prevent the Mayor and Council from providing in any or all of the ordinances or by-laws passed by them that violation of said ordinance or ordinances, by-law or by-laws, shall not be criminal offenses, or that the fine or penalty imposed for violating thereof shall be enforced by civil action only; provided, such intention is clearly expressed. Any violation of any provision under and belonging to the sub-title of "Berlin" as a sub-title to Article 24 of the Code of Public Local Laws of Maryland, title "Worcester County," including all violations of any of the provisions of this act or charter, and also all violations of any ordinance passed or to be passed by the Mayor and County of Berlin, except such ordinances as shall by their terms be enforceable by civil action only, shall be misdemeanors, and all such misdemeanors shall be indictable or they may be tried before any Justice of the Peace for Worcester County; provided that any defendant or defendants in such cases shall before the trial be notified of his right to a jury trial, and in any such case the State of Maryland shall be the plaintiff, and the State's Attorney for said County and the defendant or defendants therein shall respectively possess the right to have the case removed to the Circuit Court for said County, where they can have a jury trial, and the Justice of the Peace or the Circuit Court may in all cases amend the warrant so that the offense intended to be charged may be duly set forth; provided further, that if the defendant be found guilty and sentenced to pay a fine or to be imprisoned he may appeal to the Circuit Court for Worcester County on recognizance at any time within ten days from the trial, and the State may also appeal in any case upon order of the State's Attorney. And said Justices of the Peace shall have power to issue all process necessary to exercise such jurisdiction, and where jury trial is waived they may try and determine all such cases and pronounce judgment and sentence therein, and they shall have power to approve the sureties of any recognizance entered into upon appeal from their decision.