

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 Circuit Court for Baltimore County, and the said person shall thereafterward be tried *de novo* in the Circuit Court for Baltimore County, in the same manner as if the said case had been originally brought before 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 Circuit Court for Baltimore County shall be by jury, if demanded by the party charged; provided further, that upon the trial in the Circuit Court for Baltimore County of such appeals under this section, the same fees and costs shall be taxed in said cases on appeal as would obtain in like cases where a 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 Circuit Court for Baltimore County, pending for his appearance in the Circuit Court for Baltimore County, pending the hearing of such appeal, upon furnishing surety to be fixed by the said justice of his appearance in the Circuit Court for Baltimore County, or upon furnishing such surety for his said appearance as the Circuit Court for Baltimore County may require.

1929, ch. 313, sec. 316B.

396B. In all cases in which the convicted person is entitled to an appeal under said Section 396A, and fails to prosecute his appeal within the time provided in said section, it shall be thereafterward conclusively presumed that the said justice informed the said party charged of his right to a jury trial in said case, and that the said party waived the same.*

1904, ch. 70. B. Co. C. (1908), sec. 206. 1916, sec. 318. 1928, sec. 397.

397. When there is an arrest by a police officer or constable of any person for any violation of the law punishable either by a fine or imprisonment, or by a fine alone, during the hours when the station house justices as aforesaid are not at said respective station houses, the officer on duty and in charge of said station house, or such station house justice, if he can be found, is hereby authorized and empowered to release for the next hearing before said station house justice any person so arrested upon a deposit of an amount equal to the maximum fine and the costs or penalty imposed, if found guilty, as surety for such appearance, and after the hearing the deposit so made is to be returned to the depositor if the complaint is dismissed or held for court, upon his appearance at said hearing; and if said person so arrested fails to appear at said hearing, or if he

*Sec. 2 of ch. 313, Acts of 1929, repeals all laws inconsistent therewith.