

An. Code, 1924, sec. 529. 1912, sec. 478. 1904, sec. 425. 1888, sec. 275. 1880, ch. 31. 1888, ch. 274. 1906, ch. 704. 1916, ch. 291.

617. Every person, not insane, who wanders about in this State and lodges in market houses, market places, or in other public buildings, or in barns, outhouses, barracks, or in the open air, without having any lawful occupation in the city, town or county in which he may so wander, and without having any visible means of support, shall be deemed to be a tramp, and to be guilty of a misdemeanor, and shall be subject to imprisonment, at the discretion of the Court or Justice of the Peace hearing the charge, for a period of not less than thirty days, nor more than one year. This section not to apply to Allegany County.¹

An. Code, 1924, sec. 530. 1912, sec. 479. 1904, sec. 426. 1888, sec. 276. 1880, ch. 31. 1888, ch. 274.

618. The respective justices of the peace in the respective counties of this State shall have concurrent jurisdiction with the circuit courts for their respective counties, and the justice of the peace selected to sit at the respective station houses in the city of Baltimore shall have concurrent jurisdiction with the criminal court of Baltimore in the cases of persons arrested as tramps; and such respective justices shall proceed to hear and determine such cases when the parties arrested as tramps are brought before them, respectively, and to acquit such persons or to sentence them for such offense if convicted, unless such respective persons so charged, when so brought before them, respectively, and before they are respectively tried, as aforesaid, shall pray a jury trial. If any person charged with being a tramp, brought before a justice of the peace selected to sit at a station house in the city of Baltimore, shall pray a jury trial as aforesaid, it shall be the duty of the said justice of the peace to commit such person for trial, or to hold him to bail to appear before the criminal court of Baltimore, and to return the commitment or recognizance in such case to the clerk of the said court; and if any person charged with being a tramp, brought before a justice of the peace for any county in this State, shall pray a jury trial as aforesaid, it shall be the duty of the said justice of the peace to commit such person for trial or to hold him to bail to appear for trial before the circuit court for the county in which such person was arrested at the pending term of said circuit court, if it be then in session, or at the next term thereof if it be not then in session. Such respective justices of the peace shall endorse upon the commitment or recognizance of any such person so praying a jury trial the names and places of residence of the witnesses on behalf of the prosecution, and shall cause such respective witnesses to enter into recognizance for their respective appearance against such person in the court into which such commitment or recognizance for the appearance of the party charged is returned at the time prescribed for the appearance in such court of the person so charged. This section not to apply to Allegany County.

Act of 1878, ch. 415, sec. 10, "conferring jurisdiction upon magistrates to try vagrants and habitually disorderly persons and commit them to the House of Correction," held valid. *State v. Glenn*, 54 Md. 572. And see *Baum v. Warden*, 110 Md. 583 (involving also sec. 724 of Baltimore City charter, 1938 Ed.).

¹ Act, 1916, ch. 357, gives the police justices in Baltimore City power, in absence of a prayer for jury trial, to try cases involving violation of this section, and other offenses. This section repealed in part as to Allegany County by ch. 58 of the acts of 1931.