

appeal from the judgment of such Justice of the Peace, committing Magistrate or Police Justice to the Criminal Court of Baltimore if convicted in Baltimore City, or court of criminal jurisdiction of any county in which he may be so convicted, and such court on such appeal shall hear the case *de novo*; provided, however, that within ten days from the date of judgment, a written order of appeal signed by the convicted person, or his attorney, be filed with the Justice of the Peace, committing Magistrate or Police Justice, by whom the judgment or sentence has been imposed. Upon appeal being prayed as aforesaid, it shall be the duty of the Magistrate to endorse upon the papers "Appeal Prayed", and transmit the same to the proper court as aforesaid. It shall not be necessary in such case for the Grand Jury to find either presentment or indictment nor shall formal pleadings be required, but the trial of all such cases on appeal shall be had upon the original papers transmitted to said court by the Justice of the Peace, committing Magistrate or Police Justice aforesaid, the defendant or traverser upon such appeal being entitled to have a jury trial. In the event of such appeal, the judgment or sentence so appealed from shall be stayed by the giving of security as hereinbefore provided for, but in case such security be not given, the fine and costs imposed shall be paid, and the same returned to the party paying the same in event of a reversal, suspended sentence or entry of a *nolle pros* after appeal. The Justice of the Peace or court before whom the final conviction shall be had under any of the provisions of this sub-title, shall endorse upon or attach to the operator's certificate of the person so convicted the date and particulars of said conviction; and any person destroying, erasing or concealing said endorsement of imprisonment or statement so attached, or failing to display the same, together with said license certificate when required so to do by the provisions of this sub-title shall be deemed guilty of a misdemeanor, and, upon conviction thereof, be fined a sum not less than Five Dollars (\$5.00) nor more than One Hundred Dollars (\$100), or imprisoned for a period of not less than five days nor more than thirty days, or both fined and imprisoned, for the first offense. The Commissioner of Motor Vehicles shall prescribe a uniform system of dockets and accounting, to be used and followed by all Justices of the Peace, committing Magistrates or Police Justices, in this State, in all cases arising under any of the provisions of this sub-title. The Commissioner shall furnish, without cost, all Justices of the Peace, committing Magistrates and Police Justices with dockets wherein to record all such cases.

In all cases wherein any person, arrested for a violation of any of the provisions of this sub-title, shall be acquitted by the Justice of the Peace, committing Magistrate or Police Justice, as the case may be, the costs thereof shall be paid out of the proceeds of fines collected under any of the provisions of this sub-title and in the hands of the Commissioner of Motor Vehicles.¹

This section referred to in holding that defendant in Traffic Court, where the charge was dismissed, can be required to testify in proceedings against another person involved in same accident, who was fined for failing to give right of way. *State v. Siegel* (Judge Niles, Balto. Criminal Ct.), Daily Record, Jan. 13, 1940.

This section referred to in holding Ch. 426 of 1927 invalid. *Quenstedt v. Wilson*, 173 Md. 21.

No provision for appeal to Court of Appeals in cases arising from violations of motor vehicle law; judgments of circuit courts on appeals from justices of the peace not reviewable unless justice and circuit court without jurisdiction. Trial before justice

¹ Sec. 2, ch. 720, Act of 1939, repealed the provisions of this section which are inconsistent with the provisions of said Act (Art. 52, secs. 93-114).