

meanors not punishable by confinement in the penitentiary which may be committed within their respective jurisdiction; and shall have jurisdiction in all prosecutions or proceedings for recovery of any penalty for doing or omitting to do any act, the doing of which or the omission to do which is made punishable under the law of this State, within their said jurisdiction by any pecuniary fine or penalty, or by imprisonment in jail or in the Maryland house of correction, all of which acts or omissions are hereby declared to be criminal offenses; and the said justices shall have power to issue all processes and to do all acts which may be necessary to the exercise of their said jurisdiction; may try and determine all cases whereof they may have jurisdiction and may pronounce judgment and sentence therein, in the same manner and to the same extent as the circuit court for said counties could in such cases if said cases were tried before said circuit courts without the investigation of a jury; provided, however, that if any person when brought before any such justice having jurisdiction of the case shall before trial for the alleged offense pray a jury trial, or if the State's attorney for said county shall before the trial of such alleged offense pray a jury trial on the part of the State, it shall be the duty of any such justice to commit such alleged offender for trial in the circuit court for the county in which the offense was committed at its then session, if it be then in session, or at the next session, if it be not then in session, and to return said commitment or recognizance with the name and residence of the witnesses for the prosecution endorsed thereon forthwith to the clerk of said court and the justice before whom the case is tried shall inform the person charged of his right to a jury trial and, on receiving recognizance sent up by the justice, the clerk shall place the same on the appeal docket and issue subpoenas for the witnesses named by the justice, and the case shall be tried on the information or the warrant as if on appeal, and if on waiver of jury trial before the justice and trial before him either party shall feel aggrieved, there shall be a right of appeal to the circuit court for the county in which the alleged offense is charged to have been committed. In case the judgment of the justice of the peace is against the accused and he shall appeal, he shall enter into recognizance with security to be approved by the justice of the peace; and in every such case the appeal shall be taken within ten days after judgment entered.

State v. Ward, 95 Md. 122.