

Montgomery and Frederick counties), are hereby invested with, and shall have hereafter jurisdiction to hear, try and determine all cases involving the charge of any offense, crime or misdemeanor, not punishable by confinement in the penitentiary or involving a felonious intent, which may be committed within their respective counties ; and shall have jurisdiction to hear, try and determine all prosecutions or proceedings for the recovery of any penalty for doing or omitting to do any act within their respective counties, the doing of which or the omission to do which, is made punishable under the laws of this State 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 justice shall have power to issue all process, and to do all acts which may be necessary for the exercise of their said jurisdiction, and may pronounce judgment and sentence in all such cases coming before them, in the same manner, and to the same extent as the circuit courts for said counties could, if such cases had been tried before said courts ; provided, however, that the accused, when brought before any such justice, on being informed by him of his right to trial by jury, freely elects to be tried before such justice, and provided, further, that a jury trial be not prayed in such case on the part of the State by the State's attorney. If after a trial before the justice either party shall feel aggrieved by his judgment there shall be a right of appeal within ten days to the circuit court for the county in which the alleged offense is charged to have been committed, and in all cases where a jury trial is prayed by the State, or the accused elects to be tried by jury, or appeals from the judgment of the justice, the justice shall take from the accused his recognizance with sufficient surety conditioned for his personal appearance to answer said charge at the then session (if there be a session) of the circuit court of their respective counties, or the next session of said court, if it be not then in session ; and in default of the accused entering into such recognizance the justice shall commit him to jail for his appearance at such court to answer such charge, and shall at once return the recognizance, if there be one, and all papers and proceedings in such case, including a copy of his judgment (in appeal cases) together with the name and residence of the witnesses for the prosecution to the clerk of said court, who shall place such case on the appeal docket