

CHAP. 475

Appeal may be
taken.

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 of said court and issue subpoenas for the witnesses named by the justice, and the case shall be then tried in said court on the information or warrant. When an appeal shall be taken by the accused after the execution of sentence has begun, by confinement in jail or the Maryland House of Correction, the justice, on sufficient surety being given for the accused's appearance at court as hereinbefore required, shall at once transmit an order reciting this fact to the officer in whose custody he may be, and directing his discharge, and in default of such surety being given, the justice shall send a commitment to the sheriff of the county, commanding him to receive the prisoner and hold him for his appearance at court to answer said charge; and on the presentation of a copy of such commitment by the sheriff to the officer in whose custody the prisoner may be, such officer shall at once deliver the prisoner to the sheriff; and it shall be the duty of the sheriffs of the several counties of this State, upon receipt of such commitment, to forthwith obtain such prisoner, if he be not in his custody.

SEC. 2. *And be it enacted*, That this Act shall take effect from the date of its passage.

Approved April 3, 1906.

CHAPTER 475 $\frac{1}{2}$.

AN ACT to repeal and re-enact with amendments Section 58 of Article 77 of the Code of Public General Laws of Maryland of 1904, title "Public Education."