

sentence therein in the same manner and to the same extent as the Circuit Court for Montgomery County could in such cases if said cases were tried before said Court without the investigation of a jury; provided further, that said justice shall have the power in any and all cases to suspend the operation of any sentence for such time as he may see fit or may indefinitely postpone said sentence. That if any person when brought before said justice having jurisdiction of the case, shall before the trial of 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 upon the part of the State, it shall be the duty of the said justice to commit such alleged offender for trial in the Circuit Court for Montgomery County, at its then session, if it be in session, or its next session if it be not then in session, and return said commitment or recognizance, with the name and names and residence of the witnesses for the prosecution endorsed thereon, forthwith to the Clerk of the Circuit Court, and the said justice shall inform the person charged of his right to a jury trial and on receipt of the recognizance sent up by the justice the clerk shall place the same on the Appeal Docket and issue a subpoena for the witnesses named by the justice and the case shall be tried on the information or warrant as if on appeal. In all cases after jury trial is waived, in which any person is tried and committed before said Police Justice and sentenced by him to any imprisonment other than imprisonment in default of payment of fines of ten dollars or under and costs or to any fine of over ten dollars exclusive of costs he may within ten days after sentence, exclusive of the day of sentence, pray an appeal to the Circuit Court for Montgomery County upon waiving his right to plead on the trial of said appeal in said Circuit Court, his former jeopardy resulting from him, his or her said trial and conviction before said justice, no formal waiver of said right, to plead under this section to said Circuit Court shall be construed as a waiver of said right to plead said former jeopardy and in the event of such appeal being so prayed the said justice shall forthwith endorse on the warrant or commitment the fact of an appeal being prayed together with list of the names and residences of the witnesses for the State and forthwith transmit the papers, in the case to the clerk of said Court, and the said person shall be tried de novo in the Circuit Court, in the same manner as if the said case had been originally brought before the Circuit Court without the necessity of presentment or indictment by the Grand Jury;