

32. *Justice Must Enter Appeal And Transmit Papers.*

*Upon the party signifying his intention to appeal by application to the justice, it shall be the duty of the justice of the peace to enter the appeal, with the date thereof, upon his docket, and to transmit the papers in the cause, together with a transcript of the docket entries under his hand and seal, to the clerk of the circuit court or the clerk of the Baltimore City Court, and said transcript of the docket entries shall be prima facie proof of the proceedings had and the judgment entered in said cause.*

33. *Appeals To Be Docketed And Appellees Summoned.*

*An appeal shall be docketed and the summons for the appellee shall be issued by the clerk of the circuit court or Baltimore City Court immediately upon filing the papers in his office, and no petition shall be necessary in any case.*

34. *When Appeal Shall Stand For Trial.*

*If the summons shall be returned "summoned", the case shall stand for trial de novo, without regard to terms of court, at such date as the parties may agree upon. Where the parties cannot agree, the court shall fix the date for trial thereof; provided always that the court shall have full control over the assignment of such cases for trial.*

35. *Hearing And Decision Of Case.*

*If two summonses be returned non est, or one summons be returned served, the court may hear and determine the case by affirming, dismissing or reversing the judgment.*

36. *Execution Stayed By Appeal Bond.*

*An appeal from a judgment of a justice of the peace shall not stay execution unless an appeal bond in double the sum recovered, with approved and sufficient security, be filed with the justice, with condition that if the party appealing shall not prosecute his appeal at the next term of the circuit court for the county, or the next term of the Baltimore City Court, with effect, and also pay and satisfy the party in whose behalf the judgment of the justice shall be given, his executors, administrators or assigns, in case the said judgment shall be affirmed, as well the debt, damages and costs adjudged by the justice from whose judgment such appeal shall be made, as also all costs and damages that shall be awarded by the court before whom such appeal shall be heard, tried and determined, then the said bond to be and remain in full force and virtue, otherwise to be of no effect.*

37. *Bond To Be Filed—When.*

*When an appeal bond is filed with sufficient securities, the appeal shall operate as a supersedeas to any execution on said judgment, notwithstanding a levy may have been made; provided the said appeal shall be taken and the bond filed within thirty days after judgment, and the party appellant first pays or tenders payment to the officer making such levy, of all legal fees which shall have accrued on said levy.*