

*Court of Baltimore on appeal therefrom is imprisonment for a greater term, with or without a fine, or a greater fine with the same term of imprisonment, or both a greater fine and a greater term of imprisonment; or*

*(5) Where the period of suspension of any type of license to operate a motor vehicle imposed by the Criminal Court of Baltimore is greater than the period of suspension imposed by the Municipal Court of Baltimore City regardless of whether either the fine or imprisonment or both imposed by the Criminal Court of Baltimore are less than that imposed by the Municipal Court of Baltimore City; or*

*(6) Where a question arising under the Constitution of the United States or under the Constitution or Declaration of Rights of this State has been clearly raised in the Criminal Court of Baltimore and decided adversely to the defendant; provided, however, that no appeal to the Court of Appeals shall lie where any sentence to imprisonment by the Criminal Court of Baltimore is for a lesser term than that imposed by the Municipal Court of Baltimore City without regard to any fine imposed by the Criminal Court of Baltimore.*

§ 12B. *When appeal not to stay execution of sentence; bail.*

*An appeal under Sec. 12 or Sec. 12A shall not stay execution of sentence unless counsel for the defendant so appealing shall make oath that the appeal is not taken for delay. Upon taking such appeal the defendant so appealing shall, in all cases not punishable by death or imprisonment in the penitentiary, be entitled to remain on bail, and in other cases not capital, the court from which the appeal is taken shall have the discretionary power to admit to bail; provided that nothing herein contained shall be construed to prohibit the court from requiring additional or greater bail pending an appeal than such defendant may already have given before conviction.*

SEC. 4. *And be it further enacted, That Sections 13, 15A, 21, 30, 32, 33, 36, 40 and 42 of Article 5 of the Annotated Code of Maryland (1957 Edition), title, "Appeals", be and they are hereby repealed and re-enacted to read as follows:*

§ 13. *Right of appeal when sentence suspended.*

*In all criminal actions where sentence has been suspended by the court the defendant shall have a right to appeal to the Court of Appeals under Sec. 12 or Sec. 12A of this Article in the same manner as if sentence or judgment had been entered in said action.*

§ 15A. *Other Criminal Cases.*

*In any criminal [case] action other than one where a sentence of death has been imposed where a defendant who has been convicted or sentenced [, other than a conviction or sentence imposed] by a circuit court of a county or the Criminal Court of Baltimore [in the proper exercise of its jurisdiction on appeal from a trial magistrate where no appeal to the Court of Appeals is provided by law and except as provided in Sec. 15, and the defendant files] has a right to appeal to the Court of Appeals under Sec. 12 or Sec. 12A of this article, and has filed an order for appeal pursuant to and within the*