

posing same; and this section shall also be construed to include all causes of any kind or nature triable before any justice of the peace.

If an appeal is taken from a conviction imposing a fine or other monetary penalty in a criminal case, the trial magistrate shall transmit the fine, costs or other monetary penalty so levied to the clerk of the circuit court to which said appeal is taken. In the event of acquittal or of the levy of a fine (including costs) by the circuit court in a sum less than that levied by the magistrate, the entire fine or the surplus held by the clerk in excess of the fine levied by the circuit court, as the case may be, shall be returned to the defendant. All fines levied by the circuit court hereunder shall be paid by the said clerk to the county commissioners as provided in this section. In the event of a dismissal of an appeal by the defendant before trial in the circuit court, the clerk shall pay the fine, costs, or other monetary penalty so deposited with him to the county commissioners as hereinabove provided.

In the event an appeal is taken from a conviction for a violation of the motor vehicle laws, the trial magistrate shall transmit the fine, costs, or other monetary penalty levied in such case to the clerk of the circuit court to which said appeal is taken. In the event of acquittal or of the levy of a fine (including costs) by the circuit court in a sum less than that levied by the magistrate, the entire fine or the surplus held by the clerk in excess of the fine levied by the circuit court, as the case may be, shall be returned to the defendant. All fines levied by the circuit court for motor vehicle violations shall be paid by the clerk of the circuit court to the Department of Motor Vehicles. In the event of the dismissal of an appeal by the defendant before trial in the circuit court the said clerk shall pay the fine, costs, or other monetary penalty so deposited with him to the Department of Motor Vehicles.

§ 32. Justice must enter appeal and transmit papers; effect of transcript and docket entries.

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.

§ 36. Execution stayed by appeal bond; condition of 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