

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 as 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.

§ 40. Amendments in discretion of court.

All civil actions and civil proceedings, including the writ, summons, docket entries and the names of the parties, on appeal from a justice of the peace before a circuit court for any county [or the Baltimore City Court], may be amended so as to bring said action to trial on its merits in the same manner and to the same extent as now allowed in cases originating in courts of law. Amendments in any of the said courts shall be allowed and made in the discretion of said court as if said actions, writs and proceedings had originated therein.

§ 42. Meaning of terms "County Commissioners," ["Circuit Court"] and "Justices of the Peace."

Whenever the words "county commissioners" appear in §§ 30 to 41, inclusive, of this Article, they shall be taken to include a county council [and the mayor and city council of Baltimore City], and wherever [the words "circuit court" appear in these sections, they shall be taken to include the Criminal Court of Baltimore; wherever] the words "justice of the peace" appear they shall include "trial magistrates."

SEC. 5. *And be it further enacted,* That six new sections be and they are hereby added to Article 5 of the Annotated Code of Maryland (1957 Edition), title "Appeals", said new sections to be known as Sections 43 to 48, inclusive, under a new sub-title to be known as "Appeal from Municipal Court of Baltimore City to Criminal Court of Baltimore," to follow immediately after Section 42 of said Article, and to read as follows:

*APPEAL FROM MUNICIPAL COURT OF BALTIMORE CITY
TO CRIMINAL COURT OF BALTIMORE*

§ 43. *Right of appeal by defendant.*

A defendant in a criminal or traffic action in the Municipal Court of Baltimore City may appeal to the Criminal Court of Baltimore from any conviction or sentence, including suspension of a license to operate a motor vehicle, imposed by the Municipal Court of Baltimore City. On such appeal the action against such defendant so appealing shall be tried de novo in the same manner as if said action had originally been instituted in the Criminal Court of Baltimore but without the necessity of presentment or indictment by the Grand Jury. If the defendant so appealing is convicted in said trial de novo on appeal the Criminal Court of Baltimore may impose any sentence authorized by law to be imposed as punishment for the offense of which such defendant is convicted, irrespective of the sentence imposed in the Municipal Court. Said trial de novo on appeal in the Criminal Court of Baltimore shall be by jury if demanded by the defendant.