

§ 16-303. *Magistrate to forward papers.*

Upon appeal being prayed as aforesaid, it shall be the duty of the magistrate to endorse upon the papers "Appeal Prayed," and transmit the same forthwith to the proper court as aforesaid.

§ 16-304. *Indictment and formal pleadings unnecessary on appeal.*

It shall not be necessary in these cases for the grand jury to find either presentment or indictment nor shall formal pleadings be required, but the trial of the cases on appeal shall be had upon the original papers transmitted to the court by the magistrate aforesaid, the defendant or traverser upon the appeal being entitled to have a jury trial.

§ 16-305. *Stay of judgment pending appeal.*

In the event of an appeal, the judgment or sentence so appealed from shall be stayed by the giving of security as hereinbefore provided for, but in case the security be not given, the fine and costs imposed shall be paid and returned to the party paying them in event of a reversal, suspended sentence or entry of a nolle pros after appeal.

Subtitle 17

Penalties and Disposition of Fines and Forfeitures

§ 17-101. *Penalties for misdemeanor.*

(a) *It is a misdemeanor for any person to violate any of the provisions of this article unless the violation is by this article or other law of this State declared to be a felony.*

(b) *Every person convicted of a misdemeanor for a violation of any of the provisions of subtitles 10, 11, 12, 13 or 14 for which another penalty is not provided shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 6 months or by both such fine and imprisonment; except that:*

(i) *Every person who is convicted of violation of subsection (a) of Section 11-902 shall be punished by imprisonment for not more than one (1) year or by fine of not more than one thousand dollars (\$1,000.00), or by both fine and imprisonment.*

On a second or subsequent conviction he may be punished by imprisonment for not more than two (2) years, and in the discretion of the court, a fine of not more than (\$1,000.00).

(ii) *Every person who is convicted of a violation of subsection (b) of Section 11-902 shall be punished by a fine of ~~not less than fifty dollars (\$50.00)~~ but not more than five hundred dollars (\$500.00).*

On a second or subsequent conviction he may be punished by imprisonment for not more than one (1) year, and in the discretion of the court, a fine of not more than five hundred dollars (\$500.00).

(iii) *Every person who is convicted of violation of Section 11-903 shall be punished by imprisonment for not more than three (3) years or be fined not more than \$1,000 or both.*