

in this State, it shall, at all times, keep in good and proper repair, not only the portions of said turnpike, street or road which may be embraced between the rails of its track, but also that part which shall extend for a distance of two feet on either side of said rails; and in case of refusal or neglect to comply with the provisions of this section within five days after due notice in writing shall have been given by the county commissioners of the county in which said passenger railway has its tracks, then it shall be subject to a penalty or fine of ten dollars a day for each and every day of such refusal or neglect to repair and put in order any such turnpike, street or road; said fine to be recovered by suit [before any justice of the peace of said] *in the District Court sitting in the county*, in the name of the county commissioners of said county.

SECTION 19. *And be it further enacted*, That Section 3 of Article 23A, Annotated Code of Maryland (1966 Replacement Volume), title "Corporations—Municipal," subtitle "In General," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

3. Fines.

The legislative body of any municipality shall have power to provide that violations of ordinances and resolutions authorized by this article shall be punishable as misdemeanors, but no penalty shall exceed a fine of one hundred dollars (\$100) and imprisonment for ninety (90) days. Imprisonment in default of fine and costs shall be regulated by the provisions of § 4 of Article 38 of the Annotated Code and any amendments thereof.

[All fines, forfeitures, and penalties imposed by any ordinance or resolution of the legislative body may be recovered in the corporate name of the municipality before a trial magistrate, as small debts are recovered, and the money arising therefrom shall be paid to the municipality for its use. Provided, that any person subject to any fine, forfeiture, or penalty by virtue of any ordinance passed under authority granted in this article shall have a right of appeal within ten (10) days to the circuit court of the county in which such fine, forfeiture, or penalty was imposed, and shall have the right, if he so elect, to a trial by jury, upon giving ample security for the payment of such fine and costs.]

SECTION 20. *And be it further enacted*, That Section 101 of Article 23B, Annotated Code of Maryland (1966 Replacement Volume), title "Municipal Corporation Charter," subtitle "General Provisions," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

101. Misdemeanors.

Every act or omission which, by ordinance, is made a misdemeanor under the authority of this charter, unless otherwise provided, shall be punishable upon conviction [before any trial magistrate or in the circuit court for] *by the District Court sitting in the county* within which the offense is committed by a fine not exceeding one hundred dollars (\$100.00) or imprisonment for thirty days in the county jail, or both, in the discretion of the court [or trial magistrate]. [The party aggrieved has the right to appeal as is now provided under the