

An. Code, 1924, sec. 547. 1912, sec. 490. 1908, ch. 487.

634. The center of the waters aforesaid shall be deemed to be as represented on the county maps issued under authority of the Laws of Maryland, 1896, Chapter 51, and the Laws of Maryland, 1898, Chapter 129, and said maps shall be admissible as evidence as to the location of the boundary or boundaries aforesaid.

An. Code, 1924, sec. 548. 1912, sec. 491. 1908, ch. 487.

635. Certified copies of said county maps shall be filed with the clerks of the several courts for all the several counties of Maryland, and also with the Board of County Commissioners of said counties; said maps to be regarded as official and authoritative.

An. Code, 1924, sec. 549. 1912, sec. 492. 1904, sec. 434. 1888, sec. 282. 1793, ch. 57. 1809, ch. 144, sec. 2. 1852, ch. 344.

636. Any person presented or indicted may, instead of traversing the same before a jury, traverse the same before the court, who shall thereupon try the law and the facts.

If the facts are spread upon the record, it is the duty of the court to decide questions of law arising upon them; hence an appeal brings rulings of the court up for review. Judgment may be entered, although in statement of facts no clause is inserted making provision for such entry. *Davidson v. State*, 77 Md. 394.

When an election is made under this section, the court is substituted for the jury and has the same duties and functions to perform; unless traverser is determined to be guilty or not guilty, no judgment can be entered, and a mistrial, necessitating a retrial, results. *League v. State*, 36 Md. 264.

Acts of 1793, ch. 57, and 1809, ch. 144, held applicable in indictment under local law prohibiting presence of slaves in stores where liquor was sold. The power of court under this section held to be conferred for benefit, and to be exercised at election, of the accused. Technical joinder of issue, held unnecessary. *Rawlings v. State*, 2 Md. 214.

This section referred to in holding that admission of evidence of another robbery in prosecution for murder during robbery, is ground of reversal. Duties and functions of court sitting as jury; prejudice. *Dobbs v. State*, 148 Md. 47.

1933, ch. 562.

637. That whenever hereafter in any County of this State, or in the City of Baltimore, any person is charged with the commission of any misdemeanor or misdemeanors, and such person, before indictment by the Grand Jury of said County or City of Baltimore, makes known his desire to enter a plea of guilty to such charge or charges in the Circuit Court of the County or in the Criminal Court of the City of Baltimore, wherever the said crime is alleged to have occurred, no indictment or indictments charging such offense or offenses shall be necessary to be returned by the Grand Jury of the said County or City of Baltimore; but the State's Attorney of said County or City of Baltimore may prepare a Criminal Information or Informations setting forth the charge or charges, and the defendant shall have the right to enter a plea of guilty thereon and the Circuit Court of the Counties and the Criminal Court of Baltimore City, having jurisdiction thereof, shall thereupon proceed to hear any evidence desired by the said Court and shall pass judgment for the offense or offenses in the said case or cases.

Provided, however, that nothing in this section shall be construed as to relate to or change the proceedings in cases of misdemeanor which may be punishable with death and which said misdemeanors shall be prosecuted, as heretofore, after presentment and indictment by the Grand Juries of the Counties of this State or the City of Baltimore.