

court; therefore, BE IT ENACTED, That from and after the first day of March next, no action of trespass for injury done to the person or personal property of the plaintiff, replevin, debt, covenant, account or on the case, shall be brought in the general court, unless the real debt or thing in demand, or damages assessed, exceeds the sum or value of four hundred dollars current money, and if any such action shall be thereafter brought in the general court, and it shall appear to the court that the real debt or thing in demand, or damages assessed, doth not amount to the sum or value of four hundred dollars current money, the plaintiff shall be nonsuit, and pay costs to the defendant.

C H A P.
LXXIV.
No action to be
brought, &c.

XXXVI. AND BE IT ENACTED, That the second section of an act, entitled, An act concerning jurisdiction, be and the same is hereby repealed.

Section re-
pealed.

XXXVII. AND BE IT ENACTED, That from and after the said first day of March next, no suit or action, which may thereafter be commenced or brought in any county court, shall, before judgment, be removed by or on behalf of the plaintiff or plaintiffs in such suit or action, to the general court, unless the plaintiff or plaintiffs could, after the said first day of March next, have originally commenced such suit in the general court, on penalty of such plaintiff or plaintiffs suffering a nonsuit, and paying costs to the defendant; and any defendant or defendants shall have it in his, her or their power, at any time before issue joined, to remove, in the manner heretofore provided by law, such cause or suit from the county court to the general court, in which the real debt or thing in demand, or damages claimed, exceeds the sum of two hundred dollars current money, any law to the contrary notwithstanding.

No suit shall
be removed,
&c.

XXXVIII. AND BE IT ENACTED, That no action of ejectment, waste, partition, dower, trespass *quare clausum fregit*, trover or replevin, brought or to be brought in any court of law in this state, shall abate by the death of either of the parties to such action, but upon the death of either of the parties, the action shall be continued, and the heir, devisee, executor or administrator, of the deceased party, as the case may require, or other person interested on the part of the deceased party, may appear to such action, and in case the heir, devisee, executor, administrator, or other proper persons to prosecute or defend such action, as the case may be, do not appear to such action at the term at which the death is suggested, the surviving party, whether plaintiff or defendant, may proceed to make proper parties to such action, according to the provisions of the act, entitled, An act to alter and amend the law in certain cases.

No action to
abate, &c.

XXXIX. AND BE IT ENACTED, That from and after the passage of this act, the judges of the general court for the western and eastern shores respectively, shall not be capable to take cognizance of, or hold any jurisdiction over, any treasons, misprisions of treason, murders, felonies or insurrections, but all treasons, misprisions of treason, murder, felonies and insurrections, shall hereafter be heard and determined by the justices of the county courts of the county, and the justices of the court of oyer and terminer and gaol delivery for Baltimore county, wherein the said treasons, misprisions of treason, murder, felonies and insurrections, shall be committed, and not elsewhere; provided nevertheless, that on the application of any party indicted for any treason, misprision of treason, murder, felony or insurrections, in the county court, to the general court, or in vacation to one of the judges thereof, on a suggestion, in writing, that a fair and impartial trial cannot be had in the court where any such prosecution may be depending, it shall be lawful for the said general court, or judge, to direct the clerk of their court, on their respective shore, to issue a writ of *habeas corpus* to the justices of the county court, or court of oyer and terminer and gaol delivery for Baltimore county, wherein such person may be indicted, for bringing up of such person, and for the removal of the prosecution depending against such person, and on the transmission thereof, and on the appearance of such person, the said judges of the general court shall thereupon take cognizance thereof, and proceed to hear and determine the same, and pass sentence and judgment therein according to law; and in like manner, on any application made to the judges of the general court, on the part of the state, on a suggestion, in writing, that a fair and impartial trial cannot be had in the county court, or court of oyer and terminer and gaol delivery for Baltimore county, where the prosecution mentioned in such suggestion shall be depending, it shall be lawful for the said judges to direct as aforesaid a writ of *habeas corpus* to the justices of the said county court for bringing up such person, and for the removal of such prosecution, and on the transmission thereof, and the appearance of the person prosecuted, the judges of the general court shall take cognizance thereof, and proceed to hear and determine the same, and pass sentence and judgment therein according to law.

Judges not to
take cogni-
zance, &c.