

the said docket, he shall be deemed guilty of forgery, and upon prosecution and conviction thereof in the county court, he shall suffer the punishment prescribed by law for the offence of forgery.

Jurisdiction in cases of assault and battery. SEC. 8. *And be it enacted,* That the said district court shall have criminal jurisdiction in all cases of assault and battery committed within the district thereof, unless it shall appear to the said district court, upon a hearing of the case, that the said assault and battery was committed with an intent to kill, and it shall be lawful for the said court when informed by complaint made upon oath before them, or of their own knowledge, of the commission of any such offence within the said district, to issue

Issue capias a capias in the name of the state, against the person accused, directed to some constable of the district, to compel his or her appearance before the said court, to answer the charge, and when the party shall appear before the said court, he or she shall have the option either to submit the case to the hearing and judgment of the said court, and to traverse the same before the said court, as such like case may be now traversed before the county court, or may in his or her election enter into recognizance before the said district court, or any one of the justices thereof, for his or her appearance at the next county court of the same county, to answer the charge; but if the party so charged shall elect to submit his or her case to the hearing and judgment of the said district court, or to traverse the charge before the same court, then the said district court shall have power and jurisdiction to hear and determine the same, and give judgment according to the law of the land, and the truth of the matter, and in case of conviction, the said district court shall and may inflict punishment by fine and imprisonment, and in all such cases, the party accused, as well as the state, shall have the benefit of such witnesses as either of them may require to be summoned to the said court to testify in their behalf, and the privilege of appearing and prosecuting, or defending the charge, by attorney, and the party accused shall have a reasonable time to prepare for his defence, and shall be entitled also to be discharged from actual custody upon giving reasonable bail for his appearance in the said district court, from time to time, as the court shall direct and require, till he be finally discharged; and any one of the said district justices shall have authority to take such bail bond, with such security as he may reasonably require, conditioned as aforesaid, and the said district court shall have power and authority to tax the costs that may arise, in all such cases before them for assault and battery; and in cases of conviction of the party accused, to give judgment against him or her, for the said costs, as well as for any fine the said court may impose; and in case of non-payment of such fine and

Option allowed to traverse or enter recognizance.

On submitting the case.

Authority to try and determine.

To inflict punishment.

Method of proceeding.

Relating to bail.

Bail bond.

Taxing costs.