

gaol delivery for Baltimore county, upon suggestion, in writing, by the person or persons against whom such writ or petition has or may issue or be filed, or the plaintiff or petitioner, as the case may be, supported by competent testimony, that the person or persons by whom the said writ or petition has or may be issued or filed, is or are descended from a female ancestor who was held in bondage at the time of his or her nativity, in a county different from that in which the said writ or petition is depending, or may be brought, and that testimony, material and competent in the trial of the said writ or petition, can be had in the county where the said ancestor was held in bondage at the time of his or her nativity, to order and direct the record of their proceedings in such writ or petition to be transmitted to the judges of the county court of the county where the said ancestor was held in bondage as aforesaid, and the judges of the county court to whom the said record shall be transmitted, shall hear and determine the same in like manner as if the same had originally been brought or filed therein.

* By 1816, ch. 193, all the powers, &c. of this court are transferred to and vested in Baltimore city court.

Record
may also
be trans-
mitted to
county
where
owner
resides.

SEC. 3. *And be it enacted*, That where any petitions for freedom have or may be filed hereafter in any county court of this state, or in the *court of oyer and terminer and gaol delivery for Baltimore county*,* by any petitioner who was or shall be in the county where the said petition was or may be filed by permission of his or her owner, which said owner was or shall not be an actual resident of the county where the said petition was or may be filed at the time when the same was or may be filed, the said county court, or court of oyer and terminer and gaol delivery for Baltimore county, are hereby authorized and required, upon suggestion in writing, supported by competent testimony, that the person thus claiming to be the owner of the said petitioner had actually held the said petitioner in bondage, and that the said petitioner was in the county where the said petition has been or may be filed by the permission of his owner, and that the said owner is not, or was not, an actual resident of the county where and when the said petition was or may be filed, to permit the said owner to appear and defend the said action, and to order and direct the record of the proceedings on such petition to be transmitted to the court of the county where the said owner resided at the time when the said petition was or may be filed, and the judges of the county court to whom the said record shall be transmitted, shall hear and determine the same in like manner as if such petition had originally been filed therein.

* See note to sec. 2.