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### H.

HABEAS CORPUS. . . . .	Where, on allowance of the writ, the record had not been transmitted, the same to be retained, &c. in the county courts then established,	1805	65 42
	Power given to the criminal court of Baltimore during its sitting, and to the chief judge at all other times, to issue writs of <i>habeas corpus</i> , and on inquiry to discharge, admit to bail, or commit the person,	1808	113 1
	When a writ of <i>habeas corpus</i> is served by delivery to the officer, or person to whom it is directed, or by leaving it at the gaol or place in which the party is detained, (unless the warrant of commitment express the same to have been for treason or felony,) such officer or person shall within three days, make return of the writ, and cause the prisoner or person detained to be brought before the proper court, judge, &c. according to the command thereof,	1809	125 1
	— He shall likewise certify the true cause of detainer or imprisonment, or pretence thereof,	—	—
	— If more than twenty miles, further time to be allowed at the rate of a day for every twenty miles,	—	—
	Every writ to be signed by him who awarded it,	—	—
	Any person detained as aforesaid, (not being in execution on legal process,) or any one on his behalf, may complain to the chancellor, or any judge of the court of appeals, or of the county court, or the chief justice of the criminal court of Baltimore,	—	2
	— Such judges, &c. to grant a <i>habeas corpus</i> on such request, or upon a view of a copy of the warrant, or otherwise upon affidavit that a copy was demanded and refused,	—	—
	— The writ to be directed to the proper officer, &c. and returnable immediately before such judge, &c.	—	—
	— On service thereof, the person to be brought as before directed before such judge, &c. or in case of absence before any other, with the return, and the true cause,	—	—
	— Thereupon, such judge, &c. shall within two days discharge the person on his recognizance, with security for his appearance at the following term in the county court, &c. and then also certify the writ, return and recognizance, to the said court, unless the person appears to be detained on a legal process, under a warrant out of some court that hath jurisdiction of criminal matters, or by some warrant signed by some judge or justice for an offence not bailable by law,	—	—
	— If it appears that the person is detained without any legal warrant or authority, the judge, &c. shall release and discharge him,	—	—
	Declared of right, for the person to controvert the truth of the return, or plead any matter in avoidance, to shew that there is not sufficient cause,	1813	175 1
	— Duty of the court, chancellor, judge, &c. on application by either party, to issue process for witnesses with papers, &c. in order to determine as to the legal authority,	—	2