

CHAP. 65.

Process returnable on the days limited for holding the county court.

22. AND BE IT ENACTED, That from and after the passing of this act, and the promulgation thereof in the respective counties, it shall and may be lawful for the respective clerks of the present county courts to issue process returnable to the county courts on the days herein before limited for holding said courts in their respective counties, and such process, so to be issued, shall be tested in the name of the late chief justice of the district in which the same shall issue, until the judges shall have qualified under their respective appointments; and farther, to discharge all and singular the other duties of clerks as heretofore.

All causes, process, &c. depending before or issued from the late county or general court, how to be returned and tried &c.—How process to be tested and returnable.

23. AND BE IT ENACTED, That all causes, pleas, process and proceedings, civil or criminal, returnable or which shall be returnable to, or depending before, the late county courts of this state, and all writs and other process which have issued in virtue of the act to vest temporary powers in the several clerks in the several counties of this state, and all writs, process and proceedings whatsoever, which have issued from the general court, returnable to the general court of either shore, shall be continued, and shall be returned to the several county courts in each judicial district, by the proper officer of each respective county to whom they shall or have been respectively directed, at the times herein before appointed for the holding of each, and shall be heard, tried, proceeded upon and determined therein, in the same manner as they might or could have been heard, tried, proceeded upon and determined, in the several county courts, or in the general courts, before the said thirtieth of November, and shall be of full force, effect and validity, to every legal intent; and all writs and other process, issuing out of any of the said county courts in the said judicial districts, shall be tested in the name of the chief judge, and in case of his death, resignation or disqualification, before a new appointment, in the name of the associate judge first named in the commission; and all writs and other process shall be returnable on the days appointed by this act.

Commitments and recognizances to be returned to the county courts, &c. Sheriffs, &c.—to execute their duties, &c.

24. AND BE IT ENACTED, That all commitments and recognizances for all felonies, crimes, offences or misdemeanors, committed in the several counties, and triable by law in the county courts, shall be returned to the respective county courts in the several judicial districts, by the justice making such commitment, or taking such recognizance, on the first day herein appointed for holding the county court in their county; and all sheriffs, clerks, and all other civil officers, shall execute and perform the same offices and duties, under the same penalties, in their respective county courts, as they were by law obliged to perform and execute in the late county courts.

Powers, &c. of the criminal court of Baltimore not to be affected by this act.

25. AND BE IT ENACTED, That nothing herein contained shall extend, or be construed to extend, to alter or change the powers and jurisdictions of the court of oyer and terminer and gaol delivery of Baltimore county, or to give criminal jurisdiction to the county court to be held at Baltimore for the sixth district, any thing herein contained to the contrary notwithstanding.

See 1816, ch. 193

Where judgment by default against sheriff he may produce defendant at next county court.

26. AND BE IT ENACTED, That in all cases where judgments by default have been obtained in any court of this state against any sheriff or coroner, which defaults might, by the court in which the