

C H A P.
XI.
Causes, &c.
how to be
tried.

III. And be it enacted, That all causes, pleas, procefs and proceedings, relative to the trial of all felonies, and other crimes, offences, and misdemeanors whatever, now depending in Baltimore county criminal court, shall be heard, tried and determined, before the justices appointed and commissioned in virtue of this act.

Times of
holding
courts to be
expressed,
&c.

IV. And be it enacted, That the times of holding the courts by the said justices shall be expressed in their commission, and any one of the said justices shall have power to adjourn the said courts from day to day; and the county clerk of the said county for the time being, shall be the clerk of the said court, and shall make all entries, and transact all the other business of the said court, in the same manner as he is now by law obliged to transact the business of the county court of the said county.

Sheriff shall
summon
jurors, &c.

V. And be it enacted, That the sheriff of the said county for the time being, shall summon forty-eight good and lawful men of his county, six days before the day appointed for the holding of the said court, as grand and petit jurors, and shall return a pannel of them accordingly; and if the said sheriff shall neglect to summon and return the best and most capable men in his county for grand and petit jurymen, he shall, for every such neglect, be fined by the said justices a sum not exceeding one hundred pounds current money, to be applied towards defraying the county charge; and every person who shall be so summoned, and shall neglect or refuse to appear at the day and make default, shall be fined by the said justices, not exceeding ten pounds current money, to be applied as aforesaid; and every grand and petit juror shall have an allowance of five shillings current money for every day's attendance, to be laid and collected with the county assessment; and each of the said justices shall be allowed ten shillings current money for every day's attendance, to be laid and collected as aforesaid.

Commit-
ments, &c.
shall be re-
turned, &c.

VI. And be it enacted, That all commitments and recognizances for all felonies, and other crimes, offences and misdemeanors, committed in the said county, and triable by law in the criminal county court of said county, shall be returned by the justice taking such recognizance before the justices aforesaid, and shall be lodged by the said justice with the clerk of the said court on the day before the day appointed for the holding of the said court, and the offenders and witnesses shall be obliged to appear by virtue of such recognizances accordingly.

Penalty on
witnesses not
attending,
&c.

VII. And be it enacted, That every person summoned as a witness to attend the said court and making default, shall be fined by the justices aforesaid, in their discretion, a sum not exceeding ten pounds current money, to be applied as aforesaid; and on default of any witness, the said justices may award procefs of attachment, and by virtue thereof the sheriff of the said county shall be obliged to have the body of such witness, and may compel his attendance before the same justices.

Allowance to
be made to
witnesses, &c.

VIII. And be it enacted, That it shall and may be lawful for the said justices to allow to every person legally summoned to give evidence before them five shillings current money for every day's attendance; and if such witness resides out of the said county, the said justices may allow him for so many days itinerant charges as they shall think reasonable, at the rate of five shillings current money per day; and the same shall be paid in the same manner as allowances to witnesses in criminal cases are by law directed to be paid.

Justices may
pass judge-
ment, &c.

IX. And be it enacted, That the said justices may pass such judgment as the law requires for the crimes committed, or they may, in their discretion, adjudge any person convicted before them for petty larceny, any clergyable offence or burglary, breaking open and stealing in any dwelling-house in the day time, or breaking open and stealing by day or night in any store-house, warehouse, or other out-house, or robbery on the highway, or in any dwelling-house, or horse-stealing, or an assault with an intent to rob, murder, or commit a rape, or breaking a dwelling-house in the day time with intent to commit a felony therein,