

C H A P.
XLIII.

affirmation, for the discovery of his property, or any concealment thereof, and respecting his conduct touching the same, or the said justices may, in their discretion, direct an issue to be tried in the said court where the debtor resides, to determine the truth of any allegation made by such creditor, and if such debtor shall be found guilty of any wilful fraud or deceit of his creditors, he shall for ever be precluded from having any benefit of this act; and if any debtor who shall take the oath or affirmation by this act directed, shall, upon indictment, be convict of wilfully, falsely and corruptly, swearing or affirming to any matter or thing in such oath or affirmation contained, such person shall suffer as in case of wilful and corrupt perjury, and likewise be liable to his creditors, and shall have no relief by, or benefit of, this act.

C H A P. XLIV.

An ACT for the more effectual punishment of criminals.

Passed December 25.

Preamble.

WHEREAS it is represented to this general assembly, that the commission of burglary, robbery, horse-stealing, and other crimes, hath greatly increased in this state:

Governor,
&c. to issue a
commission,
&c.

II. *Be it enacted, by the General Assembly of Maryland,* That the governor, with the advice and consent of the council, be authorised and requested, from time to time, annually, during the continuance of this act, to issue a commission of oyer and terminer and gaol delivery, for the trial of all felonies, or other crimes, offences or misdemeanors, at any time heretofore committed, or that hereafter may be committed, during the continuance of this act, in Baltimore county, and not particularly by law directed to be tried in the general court, to five persons, residents of the same county for six months next before their appointment; and after the issuing such commission, all crimes, offences and misdemeanors, committed, or that may hereafter be committed, during the continuance of this act, in Baltimore county, and not particularly directed by law to be tried in the general court, shall be tried, heard and determined, before the said five persons, or any three or more of them, in court sitting, and not in the county court of the said county; and each of the said persons shall be and is hereby constituted a justice of the peace, and shall have jurisdiction as such, within the said county, in all criminal cases, during the time he shall be in commission; and in case of death, resignation, or removal out of the said county, of any of the said five persons, a new commission shall issue to fill up the place of the person who shall die, resign, or remove out of the said county; and no indictment found before the said justices shall be removed to the general court, at the instance of the party prosecuted, without the leave of the said justices, or the special order of the general court, or some one of the judges thereof.

Causes, &c. to
be heard, &c.

III. *And be it enacted,* That on the commencement of this act, all causes, pleas, process and proceedings, relative to the trial of all felonies, and other crimes, offences and misdemeanors, whatever, then depending in Baltimore county criminal court, in virtue of the act, entitled, An act for the more effectual punishment of criminals, shall be heard, tried and determined, before the justices appointed and commissioned in virtue of this act.

Times of
holding the
court, &c.

IV. *And be it enacted,* That the times of holding the courts by the said justices, shall be expressed in their commission; and the said courts, during the continuance of this act, shall be held on the second Tuesday in the months of January, March, August and November, of every year; and the county clerk of Baltimore county, for the time being, shall be the clerk of the said court, and shall make all entries, and transact all the 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.

One justice
may call the
court, &c.

V. *And be it enacted,* That any one of the said justices shall have power to call and hold the said court, and to adjourn the same from day to day; and any one of the said justices, in court sitting, may empanel and charge the grand jury, and