

ARTICLE XLIII.

Habeas Corpus.

1 Jurisdiction of the courts and judges defined

3 Writ of habeas corpus, how obtained, when issued and returnable provisos.

4. Service of writ return.

1867, c. 144 repeals, amends and re-enacts section 1 as follows:

SEC. 1. The several circuit courts of this state, the superior court of Baltimore city and the circuit court of Baltimore city and the several and respective judges thereof, out of court, and each of the judges of the court of appeals shall have jurisdiction over the whole state in all matters relative to habeas corpus, except those involving the relation of master and apprentice; and the criminal court of Baltimore city and the judge thereof, out of court, within the limits of said city, shall have jurisdiction in matters relative to habeas corpus only in cases in which it shall appear, by the application for the writ, that the person applying is committed, detained, confined or restrained of his liberty on a criminal charge, of which the said criminal court has jurisdiction, and the said criminal court and judge thereof shall not have or exercise any jurisdiction whatever in any case involving the validity or legal effect of any contract or indenture of apprenticeship.

1867, c. 144
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In force from March 20, 1867.

1862, c. 36 repeals section 3 and enacts the following:

3. If any person be committed or detained for any crime, or under any color or pretence whatsoever, he or any one on his behalf may complain by petition to any one of the courts or judges mentioned in the first section of this article, and the said court or judge shall forthwith grant a writ of habeas corpus, directed to the officer or other person in whose custody the party detained shall be, returnable immediately before

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