

UNLESS THE STATE'S ATTORNEY MAKES APPLICATION IN WRITING PRIOR TO THE EXPIRATION OF SEVEN CALENDAR DAYS FROM THE DATE OF COMMITMENT OF THE WITNESS TO A JUDGE OF THE CIRCUIT COURT OF THE COUNTY OR TO A JUDGE OF THE SUPREME BENCH OF BALTIMORE CITY WHERE THE WITNESS IS COMMITTED FOR AUTHORITY TO CONTINUE TO HOLD THE WITNESS, THE SHERIFF, WARDEN, OR OTHER CUSTODIAN OF THE JAIL SHALL IMMEDIATELY UPON THE EXPIRATION OF SEVEN DAYS RELEASE THE WITNESS.

(F) CONTINUED CONFINEMENT.

THE FILING OF A PETITION FOR AUTHORITY TO CONTINUE TO HOLD A WITNESS LONGER THAN SEVEN DAYS MAY BE GRANTED BY A JUDGE, ONLY UPON THE CONDITIONS AND IN ACCORDANCE WITH THE PROCEDURE PROVIDED BY THE MARYLAND RULES.

(G) AUTHORITY OF STATE'S ATTORNEY.

THE STATE'S ATTORNEY MAY [[HAVE AUTHORITY TO]] ORDER THE RELEASE OF THE WITNESS FROM CUSTODY AT ANY TIME BEFORE OR AFTER THE EXPIRATION OF SEVEN DAYS BY PLACING AN ENDORSEMENT TO THAT EFFECT ON THE COMMITMENT OR WARRANT.

(H) COMPENSATION.

A CONFINED WITNESS SHALL BE PAID \$10 PER DAY FOR EACH DAY CONFINED IN ADDITION TO THE WITNESS FEES PAYABLE PURSUANT TO §9-202. PAYMENT SHALL BE MADE BY THE COUNTY IN WHICH THE PROSECUTION OF THE CASE IS CARRIED ON.

REVISOR'S NOTE: This section presently appears as Art. 35, §§ 20A and 21. The two sections are combined and divided into subsections because they deal with the same subject matter. The language is considerably condensed for the purpose of clarity and repetition and is proposed for deletion. Changes in style are made, but the substance remains the same except for some provisions in §21 which are removed because of a conflict with §20A. Sec. 21 was first enacted in 1752, and §20A was enacted in 1959 so that the inconsistency is resolved in favor of the later statute.

SEC. 9-204. DISCHARGE FROM EXECUTION FOR FAILURE TO ATTEND.