

1. **T**HE governor and council shall issue a commission of Oyer and Terminer and goal delivery, and no indictment found shall be removed to the general court, at the instance of the party prosecuted, without leave of the justices, or the special order of the general court, or some one of the judges thereof.---1793, c. 57, § 2.---(See below, art. 28. 30.) *Cont. to Jan. 30, 1798.*

2. All causes, pleas, process and proceedings, relative to the trial of all felonies, and other crimes, offences and misdemeanours whatever, depending in Baltimore county criminal court, at the expiration 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.---*ibid.* § 3.

3. 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 direct process to issue on any presentment or indictment found in the said court, or on any petition or complaint exhibited to the said court; and he may direct subpoenas to issue for witnesses to attend the said court, or attachments of contempt to issue against witnesses or jurors for non-attendance; and he may direct any witness to be sworn to the grand jury, and receive any presentment or indictment from the grand jury, and take recognizances for the appearance of witnesses, or any person presented or indicted, and he may commit any person presented or indicted, for want of security; and any two of the said justices may adjourn the said court to any time they may think proper.---*ibid.* § 5.

4. All commitments and recognizances for all felonies and other crimes, offences and misdemeanors, committed in the said county, and triable in virtue of this act, before the said justices, shall be returned, from time to time, by any justice of the peace of the said county taking such recognizance, before the justices aforesaid; and any justice taking such recognizance shall lodge the same with the clerk of the said court on the day next before the day appointed for the holding of the said court, and the offenders and witnesses bound in such recognizance, shall be obliged to appear by virtue and according to the condition thereof.---*ibid.* § 7.

5. Every person summoned as a witness to attend the said court, and making default, shall be fined by the justices aforesaid, in their discretion; not exceeding 10l. current money, to be applied as aforesaid; and on default of any witness, the said justices may award process 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.---*ibid.* § 8.

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