

C H A P.
LVII.

person through whose land the said road may pass be first had and obtained, under the hand of every such person, and returned to the levy court aforesaid; and provided also, that nothing herein contained shall in any manner authorize the said commissioners to lay out the said road through the land of any infant, or person *non compos mentis*.

Commissioners
allowance.

IV. AND BE IT ENACTED, That the commissioners appointed in virtue of this act shall be entitled to an allowance of two dollars for every day they shall severally attend in discharge of the duties herein imposed.

C H A P. LVIII.

Passed 3d of
Jan. 1800.

An ACT to provide for the administration of justice in cases of crimes and misdemeanors in the city and county of Baltimore. Lib. JG.
No. 3. fol. 304.

Governor to issue a commission, &c.

BE IT ENACTED, by the *General Assembly of Maryland*, That the governor, with the advice and consent of the council, be authorized and requested to issue a commission of oyer and terminer and gaol delivery for the trial of all felonies and other crimes, offences and misdemeanors, at any time heretofore committed, or that hereafter may be committed, during the continuance of this act, in Baltimore county and city, and not particularly by law directed to be tried in the general court, to one person of integrity, experience, and sound legal knowledge, who shall be styled in the commission Chief Justice of the Court of Oyer and Terminer and Gaol Delivery for Baltimore County, and to two other persons of integrity, experience and knowledge, who shall be styled in the commission Associate Justices of the said court; and the said chief justice and associate justices shall hold their commission during good behaviour, and may be removed for misbehaviour in the same manner as the chancellor or the judges of the general court may be removed agreeably to the constitution of this state, and not otherwise; and after issuing such commission, all crimes, offences and misdemeanors, committed, or that may hereafter be committed, during the continuance of this act, in Baltimore county or city, and not particularly directed by law to be tried in the general court, shall be tried, heard and determined, before the said three persons, or any two or more of them, in court sitting; 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 and city 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 associate justices, 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.

II. 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, depending in Baltimore city court, and Baltimore county court, at the expiration of the act, entitled, An act respecting the criminal business of the city and county of Baltimore, passed at November session, seventeen hundred and ninety-eight, * shall be heard, tried and determined, before the justices appointed and commissioned in virtue of this act.

Times for hold-
ing courts, &c.

III. 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 Monday in January, on the first Monday in March and August, and on the third Monday of November, of every year; and the clerk of Baltimore county court 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, and the Baltimore city court.

One justice may
call court, &c.

IV. AND BE IT ENACTED, That any one of the said justices shall have power to call and hold the said courts, and to adjourn the same from day to day, and 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 witnesses 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