

C H A P.
XI.
Causes, &c.
how to be
tried.

III. And be it enacted, That all causes, pleas, proceſs and proceedings, relative to the trial of all felonies, and other crimes, offences, and misdemeanors whatever, now depending in Baltimore county criminal court, ſhall be heard, tried and determined, before the juſtices appointed and commiſſioned in virtue of this act.

Times of
holding
courts to be
exprefſed,
&c.

IV. And be it enacted, That the times of holding the courts by the ſaid juſtices ſhall be exprefſed in their commiſſion, and any one of the ſaid juſtices ſhall have power to adjourn the ſaid courts from day to day; and the county clerk of the ſaid county for the time being, ſhall be the clerk of the ſaid court, and ſhall make all entries, and tranſact all the other 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.

Sheriff ſhall
ſummon
jurors, &c.

V. And be it enacted, That the ſheriff of the ſaid county for the time being, ſhall ſummon forty-eight good and lawful men of his county, ſix days before the day appointed for the holding of the ſaid court, as grand and petit jurors, and ſhall return a pannel of them accordingly; and if the ſaid ſheriff ſhall neglect to ſummon and return the beſt and moſt capable men in his county for grand and petit jurymen, he ſhall, for every ſuch neglect, be fined by the ſaid juſtices a ſum not exceeding one hundred pounds current money, to be applied towards defraying the county charge; and every perſon who ſhall be ſo ſummoned, and ſhall neglect or reſuſe to appear at the day and make default, ſhall be fined by the ſaid juſtices, not exceeding ten pounds current money, to be applied as aforeſaid; and every grand and petit juror ſhall have an allowance of five ſhillings current money for every day's attendance, to be laid and collected with the county aſſeſſment; and each of the ſaid juſtices ſhall be allowed ten ſhillings current money for every day's attendance, to be laid and collected as aforeſaid.

Commit-
ments, &c.
ſhall be re-
turned, &c.

VI. And be it enacted, That all commitments and recognizances for all felonies, and other crimes, offences and misdemeanors, committed in the ſaid county, and triable by law in the criminal county court of ſaid county, ſhall be returned by the juſtice taking ſuch recognizance before the juſtices aforeſaid, and ſhall be lodged by the ſaid juſtice with the clerk of the ſaid court on the day before the day appointed for the holding of the ſaid court, and the offenders and witneſſes ſhall be obliged to appear by virtue of ſuch recognizances accordingly.

Penalty on
witneſſes not
attending,
&c.

VII. And be it enacted, That every perſon ſummoned as a witneſs to attend the ſaid court and making default, ſhall be fined by the juſtices aforeſaid, in their diſcretion, a ſum not exceeding ten pounds 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.

Allowance to
be made to
witneſſes, &c.

VIII. And be it enacted, That it ſhall and may be lawful for the ſaid juſtices to allow to every perſon legally ſummoned to give evidence before them five ſhillings current money for every day's attendance; and if ſuch witneſs reſides out of the ſaid county, the ſaid juſtices may allow him for ſo many days itinerant charges as they ſhall think reaſonable, at the rate of five ſhillings current money per day; and the ſame ſhall be paid in the ſame manner as allowances to witneſſes in criminal caſes are by law directed to be paid.

Juſtices may
paſs judge-
ment, &c.

IX. And be it enacted, That the ſaid juſtices may paſs ſuch judgment as the law requires for the crimes committed, or they may, in their diſcretion, adjudge any perſon convicted before them for petty larceny, any clergyable offence or burglary, breaking open and ſtealing in any dwelling-houſe in the day time, or breaking open and ſtealing by day or night in any ſtore-houſe, warehouse, or other out-houſe, or robbery on the highway, or in any dwelling-houſe, or horſe-ſtealing, or an aſſault with an intent to rob, murder, or commit a rape, or breaking a dwelling-houſe in the day time with intent to commit a felony therein,
or