

1790.

L A W S of M A R Y L A N D.

C H A P. L.

Passed December 21.

An ACT to limit the jurisdiction of the general court in criminal cases.

Power of the judges limited, &c.

BE it enacted, by the General Assembly of Maryland, That after the passage of this act, the judges of the general court for the western or eastern shore respectively, shall not be capable to take cognizance of, or hold any jurisdiction over, any offences, crimes or misdemeanors whatsoever, except treasons, misprisions of treason, murders, felonies and insurrections; but all offences, crimes and misdemeanors, shall be heard and determined by the justices of the county courts of the county wherein the said offences, crimes and misdemeanors, shall be committed, and not elsewhere, except in the cases herein before excepted.

Proviso.

II. Provided nevertheless, That on the application of any party, presented or indicted for any offence in the county court, to the general court, or, in vacation, to one of the judges thereof, on a suggestion, supported by proper evidence, that a fair and impartial trial cannot be had in the court where any such prosecution may be depending, it shall be lawful for the said general court, or judge, to direct the clerk of their court on the respective shore to issue a writ of certiorari to the justices of the county court wherein such person may be presented or indicted, for the removal of the prosecution depending against such person; and on the transmission thereof, the said judges of the general court shall thereupon take cognizance thereof, and proceed to hear and determine the same; and the recognizance of the party presented or indicted, with security if required, shall be taken by the said general court, or by the judge thereof, or by the county court, as the case may be, to enforce the appearance of such party before the judges of the said general court to answer the offence; and every such recognizance shall be certified by the court or judge taking the same to the judges of the said general court in due form of law; and in like manner, on any application made to the judges of the said general court, on the part of this state, on a suggestion in writing, supported by proper evidence, that a fair and impartial trial cannot be had in the county court where the prosecution mentioned in such suggestion shall be depending, it shall be lawful for the said judges to direct a writ of certiorari to the justices of the said county court for the removal of such prosecution; and on the transmission thereof, the judges of the said general court shall take cognizance thereof, and proceed to hear and determine the same; and the justices of such county court, on the allowance of such writ of certiorari, shall cause the recognizance of the defendant or defendants in such prosecution to be taken, with security if necessary, to enforce his or their appearance before the judges of the said general court, to answer the offence; and every such recognizance shall be certified, and transmitted with the record.

Proviso.

III. And provided also, That nothing in this act contained shall restrain the justices of the county courts from exercising the same jurisdiction in all criminal cases, as was by law established before the passage of this act; and that the judges of the general court shall not be prevented from punishing, by fine and imprisonment, all contempts in the non-attendance of jurymen or witnesses, and all others committed in the presence or hearing of the court, as heretofore.

C H A P. LI.

Passed December 22.

An ACT for the speedy conveyance of public letters and packets, and for other purposes.

Preamble.

WHEREAS the laws heretofore made for the conveyance of public letters and packets have been found ineffectual,

Clerks to furnish a correct copy, &c.

II. Be it enacted, by the General Assembly of Maryland, That the clerk of the senate, and the clerk of the house of delegates, shall furnish the printer of the state for the time being with a correct copy of the votes and proceedings of their respective houses, and of the several laws and resolutions passed and assented to during the present or any future session of assembly, within the space of thirty days after the end of every such session, and shall take a receipt from the printer for