

1793.

C H A P. LVII.

Governor to issue a commission, &c.

II. *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 not particularly by law directed to be tried in the general court, to one person of integrity, experience, and sound legal knowledge, (who shall reside in Baltimore county, and be styled in the commission, chief justice of the court of oyer and terminer and gaol delivery for Baltimore county,) and to four 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 the issuing of such commission, all crimes, offences and misdemeanors, committed, or that may hereafter be committed, during the continuance of this act, in Baltimore county, and not particularly directed by law to be tried in the general court, shall be tried, heard and determined, before the said five persons, or any three or more of them, in court sitting, and not in the county court of the said county; 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, 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 five persons, 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.

III. *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 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.

Times of holding the courts, &c.

IV. *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 Tuesday in the months of January, March and August, and on the third Tuesday in November, of every year; and the county clerk of Baltimore county 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.

One justice may call the court, &c.

V. *And be it enacted,* That 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.

Sheriff to summon jurors, &c.

VI. *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