

C H A P.

X.
Greatest number to determine.

VII. AND BE IT ENACTED, That at the place where the greatest number of voters shall appear to be in favour of, shall for the present be deemed and taken the place where the courts and elections of the county aforesaid shall be held, and is hereby declared to be the true and proper place for holding the same, until a court-house and gaol shall be erected thereon, and then for ever thereafter.

Passed 22d of Jan. 1782.

C H A P. XI.

An ACT relating to costs in criminal cases. Lib. TBH. No. A. fol. 95.

Preamble.

WHEREAS it is unjust and oppressive that any person, who may be prosecuted for any crime of which he is not guilty, should be burthened with the costs and charges accruing on the prosecution;

Persons not to pay fees, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That no person who may be prosecuted for any misdemeanor or offence, and discharged by the court on submission, or fined not exceeding one shilling current money, or prosecuted for any crime and acquitted on trial by a jury, shall be burthened with the payment of any costs or fees accruing on such prosecution, but all such costs and fees, with the legal costs of the party accused, shall, in cases tried in the county courts, be charged to the county where such trial is had, and taxed and collected as part of the county charge; and such costs and fees on trial in the general court, shall be charged to the state, and paid as other public charges; and no person taken upon any warrant, or *capias* on presentment, where no bill of indictment is found in consequence thereof, shall be liable to pay or give security for any costs on account of such warrant, presentment or *capias*, but the same shall be charged to and paid by the county, or the public, as aforesaid.

Duration.

III. This act to continue in force for three years, and until the end of the next session of assembly which shall happen thereafter.

Continued for three years, &c. by the act of 1784, ch. 83, for three years, &c. by November, 1787, ch. 34. Expired. Revived and continued by November, 1792, ch. 77, to 30th October, 1799, &c. See 1793, ch. 57, section 19.

C H A P. XII.

An ACT to prevent the exportation of bread and flour not merchantable, and for other purposes. Lib. TBH. No. A. fol. 96.

This act was to continue for six years, &c. Continued, by November, 1787, ch. 38; for seven years, &c. by 1795, ch. 83, to 30th January, 1798. Expired. Revived and continued (except where altered,) by 1798, ch. 10, to the end of the session, and all acts done under it confirmed.

C H A P. XIII.

An ACT directing the proceedings against persons guilty of fornication. Lib. TBH. No. A. fol. 101.

Supplements 1785, ch. 47, 1796, ch. 34.

Justices to issue warrants, &c.

BE IT ENACTED, by the General Assembly of Maryland, That from and after the end of this present session of assembly, it shall and may be lawful for any justice of the peace within this state, as often as he shall be informed of any female person having an illegitimate child, to issue his warrant to the constable (a) of the hundred, in which such person resides, who is hereby required to carry such person before some justice of the peace of the county, who shall call on her for security to indemnify the county from any charge that may accrue by means of such child, and, upon neglect or refusal, to commit her to the custody of the sheriff of the county, to be by him safely kept until she shall give such security; but in case she shall on oath discover the father, then the said justice is hereby required to discharge her from such warrant, and directed to call such father, if a resident of the county, before him, and shall cause him to give security in the sum of thirty pounds current money, to indemnify the county from all charges that may arise for the maintenance of such child; but in case the father be a resident of any other county within this state, then the justice shall transmit, under his hand and seal, a copy of the proceedings in such case had, and the justice to whom the said proceedings shall be sent, shall forthwith proceed against the father in manner and form as is before directed.

(a) By 1785, ch. 47, the constables are required to give information to some justice of any free woman having an illegitimate child.

Proviso.

II. PROVIDED ALWAYS, That in case any person charged with being the father of a bastard child should think himself aggrieved by the judgment aforesaid, it shall and may be lawful for the said justice,