

to do, that then it shall and may be lawful for the Susquehanna Bridge Company (a) to turnpike the said road from Baltimore to Belle-Air, after causing the same to be laid out, and to extend and lay out the said road from thence to the site fixed upon as aforesaid, upon the most direct route the nature of the ground will admit; and to this end and purpose the said bridge company shall have and possess the like rights and powers, and be amenable to the like regulations and duties, as the Baltimore and Strasburg company possess and are subject to, and shall have authority to appoint commissioners to take subscriptions, at such times and places as they may deem best, for a capital stock of sixty thousand dollars, in shares of fifty dollars each.

CHAP 174.

(a) See Nov. 1812, ch. 143.

2. AND BE IT ENACTED, That in case the aforesaid Baltimore and Strasburg road company shall determine to lay out their road through Belle-Air, but decline extending a branch of said road from thence to the site aforesaid, in that event the said bridge company are hereby authorised to make and extend the aforesaid branch of said road.

Branch of road may be extended.

CHAP. CLXXV.

*An Act declaratory of the Law on returns to Writs of Habeas Corpus, and for the better protection of the liberty of the Citizen.* Lib. TH. No. 4, fol. 221.

Passed Jan 31, 1814

See November 1809, ch. 125.

1. BE IT ENACTED, by the General Assembly of Maryland, That it is of right, and shall in all cases be competent for the party complaining of illegal detention or confinement, in whose behalf a writ of habeas corpus hath been issued by the proper court, chancellor, chief justice or other judge, already authorised by law to issue the same, either during the sitting of the court, or in vacation time, on return of said writ made by the officer or other person to whom it hath been directed, to controvert by himself, or his counsel, the truth of such return, or to plead any matter repugnant thereto, or to avoid the effect thereof, whereby it may appear from the circumstances to be proved, that there is not a sufficient legal cause for such detention or confinement.

Illegal confinement - Remedy

2. AND BE IT ENACTED, That it shall be the duty of the said court, chancellor, chief justice or other judge, on application in behalf of the party complaining, or the officer or other person making the return, to issue subpoena, or subpoena duces tecum, and process of attachment if requisite, returnable at the day and place, and in the manner therein directed, to be served by the sheriff of the county, or his deputy, and to be enforced as the like process may now be enforced in courts of law, in order to compel the attendance of witnesses, whose testimony it may appear on affidavit, or other reasonable cause shewn, is necessary, for the purpose of proving all the circumstances of the detention or confinement aforesaid, whereby such court, chancellor, chief justice or other judge, may be enabled, truly and justly to decide and determine, whether there is any legal warrant or authority therefor, or whether the party restrained of his liberty shall not be forthwith released and discharged.

Party complaining, subpoena may be issued, &c.