

CHAP. 125.

the executive authority of the state or territory from which he or she fled, be immediately delivered up in pursuance of such demand.

Chancellor, judge, &c refusing a habeas corpus liable to an action.

6. AND BE IT ENACTED, That if the chancellor, or any judge or chief justice of the said court, in the vacation time, upon view of the copy of the warrant of commitment or detainer, or cause of commitment, or upon affidavit made that such copy was denied as aforesaid, shall refuse any writ of *habeas corpus* by this act required to be granted, being moved as aforesaid, such chancellor, judge or justice, shall be liable to the action of the party grieved.

Persons committed for treason or felony to be indicted at first term, or admitted to bail, &c.

7. AND BE IT ENACTED. That if any person who shall be committed for treason or felony, plainly expressed in the warrant of commitment, upon his or her prayer or petition in open court the first days of the term or session, to be brought to trial, shall not be indicted sometime in the next term or session after such commitment, the judges or justices of the said court shall, upon motion in open court the last day of the term or session, set at liberty the prisoner upon bail, unless it shall sufficiently appear to the said court that the witnesses of the state could not be produced the same term or session; and if such prisoner, upon his or her prayer or petition as aforesaid, shall not be indicted and tried the second term or session, he or she may, in the discretion of the court, be discharged from his or her imprisonment; *Provided*, that nothing herein shall extend to discharge out of prison any person charged with any other process, but that after he or she shall be discharged from his or her imprisonment for such criminal offence, he or she shall be kept in custody according to law for such other suit or cause.

Proviso.

CHAP. CXXVI.

Passed Jan 6, 1810

*An Act to authorise and empower the Levy Court of Caroline County to assess and levy a sum of Money for the purpose therein mentioned. Lib. TII. No. 2, fol. 30.*

Enactable

WHEREAS sundry inhabitants of Caroline county have, by their petition to this general assembly, set forth, that John Guin, and Rachel his wife, of said county, sometime since departed this life, leaving four small children, named James, Samuel, John and Richard Guin, the oldest of which does not exceed six or seven years of age, and are left entirely destitute of the means of subsistence, and have neither friends nor relations capable or able to support them, and praying that a law may pass authorising the levy court of Caroline county to assess and levy annually a sum of money for the support of John, Samuel and Richard Guin, the three youngest children of the said John and Rachel Guin; therefore,

Levy authorised for support of John, Samuel, and Richard Guin.

2. BE IT ENACTED, by the General Assembly of Maryland, That the justices of the levy court of Caroline county be and they are hereby authorised and directed, to assess and levy on the assessable property of said county the sum of forty-five dollars annually, so long as they shall think proper, for the support and maintenance of the said John, Samuel and Richard Guin, and that the same be levied, collected and paid, annually, to the person or persons having the care of the aforesaid John, Samuel and Richard Guin, by the collector of said county, agreeably to the order of the levy court aforesaid.