

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

C H A P. VII.

An ACT to continue the acts of assembly therein mentioned.

C H A P. VIII.

An ACT to vest in the members of the German reformed church, an estate in fee-simple in a lot of ground in Monococy manor in Frederick county.

This act requires the surveyor of Frederick county, within six months from the close of the session, to lay off a parcel of ground, part of Monococy manor, not exceeding five acres, and comprehending the spot on which is erected the Glade church, and the enclosed lot which is used for a burial-ground. He is to return a certificate thereof, to be entered amongst the county records, and hereafter to be received as evidence, that the said ground belongs to the members of the German reformed church, and their successors, as a religious order or sect, on condition, that it be used by them as a house of worship, and burying-ground, as aforesaid.

C H A P. IX.

An ACT for holding special elections in Cæcil county, that the inhabitants of said county may declare at what place their courts and elections shall be held, and for other purposes therein mentioned.

The people of the county, qualified to vote for delegates, shall assemble at three different places, on three different days, to determine, by a majority of votes, on the place where a court-house and gaol are to be erected. This election is to be held by any one or more of three judges named in the act, who, together with their clerk or clerks, are to take an oath of office prescribed.

The justices, on receiving the returns of the election, are authorized, on or before the holding of their next court, to repair to the place having in its favour the majority of suffrages, and there choose a piece of ground, not exceeding four acres, and (if they can) to agree for the price with the owner or owners; but if the owner or owners shall be unwilling or unable to sell, at a reasonable price, the justices, by their warrant, shall command the sheriff to summon at least twelve of the most substantial freeholders to attend them, on a day appointed, at the place, and on their oaths, to be administered by a majority of the justices, the said jury shall ascertain the value of the said land, and the damages which the owners will sustain by the building thereon a court-house and gaol. The ground is then to be laid off by the surveyor; a certificate of it is to be entered amongst the county records; the county shall be entitled to it for ever on the payment of the value and damages thus ascertained; and the justices are immediately to contract for building thereon a gaol; and whenever the circumstances of the people will permit, with the consent of the commissioners of the tax, they shall cause likewise the court-house to be there erected. The price of the land, and the cost of the gaol, is to be levied by an equal assessment of the taxable property and persons in the county, and by a sale of the old court-house and prison, together with the land belonging to them. The place to be chosen as aforesaid, is immediately to be the place for holding courts and elections; and when the court-house shall be finished, the county court shall not, unless on evident necessity, be held at any other place.

C H A P. X.

An ACT for an election to determine at what place the court-house and prison of Harford county shall be built.

This election, at which only those qualified to elect delegates are entitled to vote, is to be held at four different appointed places within the county. Any two of the tax commissioners, calling to their assistance two justices for the preservation of the peace, are to be judges of the election, first taking an oath of impartiality, and administering an official oath to their clerk.

When the place is thus ascertained, the justices are to agree with the owner for the price of any quantity of the land, not exceeding four acres, or, if that cannot be done, they are to order the sheriff to summon 12 freeholders to be empannelled and sworn to inquire the value, and the sum declared by this jury to be the value, is to be paid by the justices out of the money to be collected under the act of assembly for that purpose provided. The said four acres are to be laid out by the county surveyor, who is to return a certificate to be recorded by the county clerk. And until the court-house and prison can be built, the justices are authorized to rent houses, &c.

C H A P. XI.

An ACT relating to costs in criminal cases.

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 acquitted, &c. 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