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AN ACT

Relating to the People of colour of this State.

Section 1. Be it enacted by the General Assembly of Maryland, That the governor and council shall as soon as conveniently may be, after the passage of this act appoint a board of managers, consisting of three persons, who shall at the time of their appointment be members of the Maryland State Colonization Society, whose duty it shall be to remove from the state of Maryland, the people of colour now free and such as shall hereafter become so, to the colony of Liberia in Africa or such other place or places out of the limits of this state, as they may approve of & the person or persons so to be removed shall consent to go to, according to the provisions of this act, & to provide for the establishment & support as far as necessary, and to dicharge the other duties required of them by this act; and before the said managers shall proceed to act, they shall severally give bond to the state of Maryland, in the penalty of ten thousand dollars, conditioned for their faithful accounting for all the monies that may come to their hands; which bond shall be approved by one of the judges of Baltimore county court and sent to the treasurer of the Western Shore of this state.

Sec. 2 And be it enacted, That it shall be the duty of the treasurer of the Western Shore to pay to the board of managers to be appointed as hereinafter directed, such sums as they shall from time to time require, not exceeding in all, the sum of twenty thousand dollars during the present year, to be applied by them, as they in their discretion shall think best in removing or causing to be removed such slaves as may hereafter become free, and such people of color as are now free and may be willing to remove out of the state to the colony of Liberia on the coast of Africa, or to such other place or places out of the limits of the state as they may think best, & as the said persons so to be removed, may consent to go to, in the manner hereinafter provided; and the said board may from time to time make such preparations at the said colony of Liberia or elsewhere as they may think best which shall seem to them expedient for the reception and accommodation and support of the said persons so to be removed, until they can be enabled to support themselves, and shall also take such measures as may seem to them necessary and expedient to obtain and place before the people of color of the state of Maryland, full and correct information of the condition and circumstances of the colony of Liberia or such other place or places to which they may recommend their removal, and shall return a faithful account of all their expenditures of the said sums and make a full report of all their proceedings to the next general assembly of this state.

Sec. 3. And be it enacted, That it shall hereafter be the duty of every clerk of a county in this state, whenever a deed of manumission shall be left in his office for record, and of every Register of Wills, in every county of this State whenever a will manumitting a slave or slaves shall be admitted to probate, to send within five days thereafter, (under a penalty of ten dollars for each and every omission so to do, to be recovered before any justice of the peace one half whereof shall go to the informer and the other half to the State;) an extract from such deed or will, stating the names, number and ages of the slave or slaves so manumitted, (a list whereof, in the case of a will so proved, shall be filed therewith, by the executor or administrator) to the board of managers for Maryland, for removing the people of colour of said State; and it shall be the duty of the said board on receiving the same to notify the American Colonization Society, or the Maryland State Colonization Society thereof, and to propose to such society that they shall engage, at the expense of such society, to remove the said slave or slaves so manumitted to Liberia; and if the said society shall so engage then it shall be the duty of the said board of managers to have the said slave or slaves delivered to the agent of such society at such place as the said society shall appoint, for receiving such slave or slaves, for the purpose of such removal, at such time as the said society shall appoint; and in case the said society shall refuse so to receive and remove the person or persons so manumitted & offered, or in case the said person or persons shall refuse so to be removed, then it shall be the duty of the said board of managers to remove the said person or persons to such other place or places beyond the limits of this State, as the said board shall approve of, and the said person or persons shall be willing to go to, and to provide for their reception and support, at such place or places as the said board may think necessary, until they shall be able to provide for themselves, out of any money that may be earned by their hire, or may be otherwise provided for that purpose; and in case the said person or persons shall refuse to be removed to any place beyond the limits of this State, and shall persist in remaining therein, then it shall be the duty of said board to inform the sheriff of the county wherein such person or persons may be, of such refusal, and it shall thereupon be the duty of the said sheriff forthwith to arrest or cause to be arrested the said person or persons so refusing to emigrate from this State; and transport the said person or persons beyond the limits of this state; and all slaves shall be capable of receiving manumission, for the purpose of removal as aforesaid, with their consent, of whatever age, any law to the contrary notwithstanding.

Sec. 4 And be it enacted, That in case any slave or slaves so manumitted cannot be removed without separating families, and the said slave or slaves so unwilling on that account to be removed, shall desire to renounce the freedom so intended by the said deed or will to be given, then it shall and may be competent to such slave or slaves so to renounce in open court the benefit of said deed or will and to continue a slave.

Sec. 5. And be it enacted, That it shall and may be competent for the orphans' courts of this State, and for Baltimore city court, to grant annually a permit to any slave or slaves so manumitted as aforesaid, to remain as free in said county in cases where the said courts may be satisfied by respectable testimony that such slave or slaves so manumitted deserve such permission on account of their extraordinary good conduct and character; Provided, such permit shall not exempt any manumittor or his representatives or his estate from any liability to maintain any hereafter emancipated slave, who, at the time his or her right to freedom accrues, may be unable to gain a livelihood, or be over forty five years of age at said time and afterwards become unable to maintain himself and herself.

Sec. 6. And be it enacted, That the said Board of Managers shall in all cases where the removal of a slave or slaves manumitted as aforesaid, shall devolve upon them, have full power and authority, whenever the same shall be necessary and can be done with advantage to hire out such slave or slaves so manumitted and so to be removed, until their wages shall produce a sufficient sum to defray all expenses atending their removal, and necessary support at the place or places of such removal.

Sec. 7. And be it enacted, That the Treasurer of the Western Shore is hereby authorised, and required, for the purpose of paying for the transportation of the coloured population of this State, to borrow on the credit of the state, in certificates of stock, not less than one thousand dollars each, the sum of twenty thousand dollars, redeemable at the expiration of fifteen years, at a rate of interest not exceeding five per cent per annum; and the faith of the State is hereby pledged for the payment of the said principal when due and the interest accruing semi annually until paid, and the money so borrowed, is hereby appropriated to pay for the removal of the free coloured population of the several counties of this State; and the said Treasurer is also required to borrow, on similar terms, and payable at the lapse of fifteen years from the date of the loan, such further sum or sums as may be required to pay the expenses incurred under this law, in removing the free people of colour in this state to Liberia or elsewhere, beyond the limits of this State—Provided always that the amount of loans made, shall not exceed two hundred thousand dollars.

Sec. 8 And be it enacted, That for the purpose of raising a fund to pay the principal and interest of the loans authorised and required by this act, the levy courts or commissioners of the several counties of this state, as the case may be, and the mayor and city council of Baltimore are hereby authorised annually during the continuance of this act to levy on the assessable property within their respective counties, clear of expenses of collection severally as follows:—on Somerset county, the sum of three hundred and sixty nine dollars and thirty three cents, on Worcester county, the sum of three hundred and twenty seven dollars and thirty three cents; on Dorchester county, the sum of three hundred and sixty seven dollars and thirty three cents; on Talbot county, the sum of two hundred and seventy six dollars; on Queen Anne's county, the sum of three hundred and seventy five dollars and thirty three cents; on Caroline county the sum of one hundred & fifty dollars; on Kent county, the sum of two hundred and Eighty one dollars; and on Cecil county, the sum of three hundred ninety six dollars and sixty six cents; on Harford, county, the sum of three hundred and fifty six dollars and sixty six cents; on Baltimore county the sum of three thousand two hundred and four dollars and sixty six cents; on Anne Arundel county, the sum of six hundred and fifty four dollars; on Prince George's county, the sum of five hundred and twelve dollars and sixty six cents; on Calvert county, the sum of one hundred and sixty dollars and sixty six cents; on St. Mary's county, the sum of two hundred and sixty three dollars and thirty three cents; on Charles county, the sum of four hundred and forty six dollars and sixty six cents; on Montgomery county, the sum of three hundred and forty dollars and sixty six cents; on Frederick county, the sum of nine hundred and forty four dollars and sixty six cents; on Washington county, the sum of four hundred and ninety one dollars and thirty one cents; and on Allegany county, the sum of one hundred and fifty eight dollars; which said amount or sum shall be collected in the same manner & by the same collector or collectors as county charges are collected, the levy courts or commissioners as the case may be, and the mayor and city council of Baltimore respectively taking bond with sufficient security from each collector for the faithful collection and payment of the money in the treasury of the Eastern or Western Shore as the case may be, at the time of paying other public moneys to and for the use of the state.

Sec. 9. And be it enacted, That the sheriffs of the several counties of this state, shall be, and they are hereby required to cause the number of the free people of colour inhabiting their respective counties to be taken, and cause to be made, a list of the names of the said free people of color residing in their respective counties, the said enumeration shall distinguish the sexes of said free people of color, and the said list shall state the ages of such free people of color, for effecting which the sheriffs aforesaid, shall have power & are hereby required to appoint one or more assistants in their respective counties, the said list of names & the said enumeration shall be made by an actual enquiry by such sheriff or his assistants at every dwelling house or by personal enquiry of the head of every family; the said listing and enumeration shall commence on the first day of June next, and be completed within three months thereafter, and the said sheriffs shall make out two copies of said list and enumeration stating the names sexes and ages of the free people of color, in their respective counties and shall deliver one copy to the clerk of their respective counties whose duty it shall be to record the same in a book by him to be kept for that purpose and the other copy shall be by said sheriffs transmitted to the board of managers appointed under this act, and every sheriff failing to comply with the duties prescribed in this section, shall forfeit two hundred dollars, to be recoverable in the county court of their respective counties by action of debt or indictment.

Sec. 10 And be it enacted, that the compensation of every sheriff and assistant shall be at at the rate of two dollars and twenty five cents for every fifty persons by him returned, except where such person resides in the city of Baltimore, where such Sheriff or assistant shall receive at the rate of one dollar and twenty five cents for three thousand, and at the rate of one dollar & twenty five cents for every three hundred persons over three thousand residing in the city of Baltimore, which said compensation shall be levied on the assessable property within the respective counties, and be collected in the same manner and by the said collector or collectors as county charges are collected, and be by them paid over to the person entitled to receive the same: Provided that the Levy Courts or Commissioners of the respective counties, and the Mayor and City Council of Baltimore as the case may be, may if they deem the compensation hereby allowed inadequate, allow such further compensation as they may deem proper

Sec. 11 And be it enacted, That the several sheriffs of the counties of this state shall, from time to time, make report to the said board of managers of such, of said free people of colour in their said counties as they shall find willing to remove from the State, stating therein the names, ages and circumstances of such persons, and the place or places beyond the limits of this State to which they are willing to remove, and whether they are or are not able to defray the expenses of such removal; whether any such means are provided; and it shall be the duty of the said board of managers whenever they shall ascertain by the said reports of the said sheriffs or otherwise, that such persons of color are willing to remove from the State, to make a register of their names and ages, and take such measures as they may think necessary for their removal as soon as practicable, either to the colony of Liberia, or to such other place or places beyond the limits of this State which the said board may approve of and to which they may be willing to go, and it shall be the duty of said board, if there shall be offered to them more than they can send in any one year, from the different counties as aforessid, to apportion the same among the said counties, according to the number respectively of their free people of colour, as appears by the last census.

Sec. 12 And be it enacted, That nothing in this act shall be taken or construed to extend to any slave or slaves who may be entitled to his, her or their freedom hereafter, by virtue of any deed of manumission executed and recorded according to law prior to the passage of this act, or last will and testament duly admitted to probate before the passage of said act, unless he, she or they shall consent thereto.

By the House of Delegates.
March 14th 1832.

This engrossed bill, the original of which, passed this House the 9th day of March, 1832, was this day read and assented to.

By order,
GEO. G. BREWER, Clk.

By the Senate,
March 14th, 1832.

This engrossed bill, the original of which passed the Senate the 12th day of March, 1832 was this day read and assented to.

By Order,
JOS. H. NICHOLSON, Clk.
GEO. HOWARD.

March 31.—3w

AN ACT

Relating to Free Negroes and Slaves.

Section 1 Be it enacted by the General Assembly of Maryland, That after the passage of this act, no free negro or mulatto shall emigrate to, or settle in this State; and no free negro or free mulatto belonging to any other State, district or territory shall come into this State, and therein remain for the space of ten successive days, whether such free negro or mulatto intends settling in this State, or not, under the penalty of fifty dollars for each and every week such person coming into, shall thereafter remain in this State; the one half to the informer and the other half to the sheriff for the use of the county, to be recovered on complaint and conviction before a justice of the peace of the county in which he shall be arrested; and any free negro or mulatto refusing or neglecting to pay said fine or fines, shall be committed to the jail of the county, and shall be sold by the sheriff at public sale, for such time as may be necessary to cover the aforesaid penalty, first giving ten days previous notice of such sale: and the said sheriff, after deducting prison charges and a commission of ten per centum, shall pay over one half of the nett proceeds to the informer, and the balance he shall pay over to the Levy Court or Commissioners as the case may be, for the use of the county.

Sec. 2 And be it enacted, that no person in this State, shall hereafter hire, employ or harbour any free negro or mulatto who shall emigrate or settle in this State, after the first day of June next, or any free negro or mulatto who shall come into this State, from any other State district or territory, and continue in this State for the space of ten successive days as above, under the penalty of twenty dollars for every day after the expiration of four days, any such free negro or mulatto so emigrating and settling in this State, or so coming into and so staying in this State, shall be so employed, hired or harboured, and all fines accrued under this act, may, before any Justice of the Peace of the county in which the offence is committed be recovered by action of debt, each party to have the benefit of appeal to the County Court, and one half thereof to be applied to the informer, and the other half to the use of the county; and if any negro or mulatto shall remove from this State and remain without the limits thereof for a space longer than thirty consecutive days, unless before leaving the State he deposits with the clerk of the county in which he resides, a written statement of his object in doing so, and his intention of returning again, or unless he shall have been detained by sickness or coersion, of which he shall bring a certificate he shall be regarded as a resident of another State, and be subject if he return, to the penalties imposed by the foregoing provisions upon free negroes and mulattoes of another State, migrating to this State: Provided, that nothing contained in this act shall prevent any free negro or mulatto from visiting Liberia and returning to the State whenever he may choose to do so.

Sec. 3 And be it enacted, That nothing in the two preceding sections hereof, shall be construed to extend to any free negro or mulatto that may be engaged in navigating any ship, vessel or boat under a white commander, or any wagoner or hired servant travelling with his master or employer, or such as may lawfully come into this State, and be detained by sickness or other casualty.

Sec. 4 And be it enacted, That it shall not be lawful from and after the first day of June next, to import or bring into this state by land or water, any negro, mulatto or other slave for sale, or to reside within this state, Provided, that nothing herein contained shall be construed to alter or annul any of the acts now in force in relation to the rights of non residents to remove to or from, or employ their slaves upon their islands in the Potomac river, and any person or persons so offending, shall forfeit for every such offence, any negro, mulatto or other slave brought into this state contrary to this act, and such negro, mulatto or other slave, shall be entitled to freedom upon condition that he consent to be sent to Liberia, or to leave the state forthwith, otherwise such negro or mulatto or other slave, shall be seized and taken and confined in jail by the sheriff of the county, where the offence is committed, which sheriff shall receive ten dollars for every negro, mulatto or other slave so brought into this state and forfeited as aforesaid, and seized and taken by him to be recovered in an action of debt in his own name before any justice of the peace as small debts are recovered from the person or persons so offending. Moreover, said sheriff shall receive five dollars for such negro, mulatto or other slave actually confined by him in jail, and the usual prison fees as now allowed by law; and any person or persons so offending under this act, shall be punished by indictment in the county court of the county where the offence shall be committed and upon conviction thereof, the said court shall by its order, direct said sheriff to sell any negro, mulatto or other slaves so seized and taken by him under this act to the colonization society for said five dollars, and the prison fees, any negro, mulatto or other slave to be taken to Liberia; and if said colonization society will not receive such negroes, mulattoes as other slaves for said five dollars each, and the prison fees of each, upon refusing said sheriff shall after three weeks public notice given by public advertisements; sell any such negro, mulatto or other slave to some person or persons, with a condition that any such negro, mulatto or other slave shall be removed and taken forthwith beyond the limits of this state to settle and reside, and said sheriff shall report any sale or sales made by him to the county court of the county in which he resides, and after deducting five dollars and prison fees for each and every negro, mulatto or other slave sold as aforesaid, which shall be settled by an account current to be settled in said court, said sheriff shall pay over the balance of said sales to the treasurer of the shore where he may reside; Provided, that this act shall not be so construed as to prevent any person or persons residing in this or any adjoining state, and who hold in their own right or in right of any other persons lands in both states within ten miles of each other from removing their slaves to and from said land, solely for the cultivation and improvement of the same, and provided also, the names, ages and sex of any slaves so removed, shall be recorded in the office of the clerk of the county court of such county in this state, into which the said negroes shall be so removed within thirty days after their first removal.

Sec. 5 And be it enacted, That it shall be the duty of all justices of the peace in the county, upon information being given them or any of them, that any negro, mulatto or other slave, hath been brought into this state contrary to this act, to issue warrant for any person or persons so offending, in the name of the state of Maryland, and upon any person or persons being brought before him on said warrant chargeable with the offence aforesaid, to cause any such person or persons to enter into recognizance for her, his or their personal appearance before the judges of the county court to plead and answer to whatsoever may be there alleged in that behalf, with such penalty in said recognizance as said justice of the peace shall approve; and upon refusal to give such recognizance, such person or persons so offending, shall be committed to the said jail of the county by said justice of the peace to be confined until the next meeting of the county court of the county in which said offence shall be committed.

Sec. 6 And be it enacted, That no free negro or mulatto shall be suffered to keep or carry a firelock of any kind, any military weapon, or any powder or lead, without first obtaining a license from the court of the county or corporation in which he resides; which license shall be annually renewed, and be at any time withdrawn by an order of said court, or any judge thereof; and any free negro or mulatto who shall disregard this provision, shall, on conviction thereof before a justice of the peace, for the first offence pay the cost of prosecution, and forfeit all such arms to the use of the informer; and for the second or any subsequent offence shall, in addition to such costs and forfeiture, be punished with stripes, at the discretion of the justice, not exceeding thirty nine, or be subject to the penalties of felony.

Sec. 7 And be it enacted, That it shall not be lawful for any free negro or negroes, slave or slaves, to assemble or attend any meetings for religious purposes, unless conducted by a white licensed or ordained preacher, or some respectable white person or persons of the neighborhood, as may be duly authorised by such licensed or ordained preacher, during the continuance of such meeting; and if any such meeting shall be held without being conducted as aforesaid, they shall be considered as unlawful and tumultuous meetings, and it shall be the duty of the nearest constable, or any other civil officer knowing of such meetings, either from his own knowledge or the information of others to repair to such meeting and disperse the said negroes or slaves; and if any such constable shall fail to comply with the provisions of this act, he shall be subject to a fine of not less than five nor more than twenty dollars, at the discretion of a justice of the peace of the county in which he resides, whose duty it shall be to impose the fine, on information being given for such neglect; and return the proceedings and judgment on the same to the clerk of the county, who shall enter it upon the proper docket to be collected and applied as other fines and forfeitures now are; provided that this act shall not interfere with any right of an owner or employer of any slave or slaves, to allow his own servants or those employed by him or her, to have prayers or other religious service upon his own land; and provided also, That nothing contained in this act shall be construed to prevent the assemblage, within the limits of Baltimore city and Annapolis city, of such slaves, or free negroes and mulattoes for the purpose of religious worship, if said meetings are held in compliance with the written permission of a white licensed ordained preacher, and dismissed before 10 o'clock at night.

Sec. 8 And be it enacted, That all free negroes or mulattoes who shall be found assisting, or in any company with slaves, at any unlawful or tumultuous meeting, either by day or night, or who shall in connection with any slave or slaves, as principal or accessory, be guilty of, and convicted of, any offence for which slaves are now punishable, before a justice of the peace, such free negro or mulatto shall be subject to the same punishment and be liable in every respect to the same treatment and penalty as slaves thus offending.

Sec. 9 And be it enacted, That it shall not be lawful for any person or persons to purchase of any free negro or mulatto, or from any slave or slaves, any bacon, pork, beef, mutton, corn, wheat, tobacco, rye or oats, unless such free negro or mulatto shall at the time of such sale, produce a certificate from a justice of the peace or three respectable persons residing in the neighborhood of said negro, of the county in which such negro resides, that he or they have reason to believe and does believe, that such free negro or mulatto came honestly and bona fide into possession of any such article so offered for sale, or unless such slave shall produce a written authority from his or her owner, employer or overseer, to sell any such article; and any person thus offending against the provisions of this act, shall be subject to a penalty of five dollars for every such offence, or a penalty equal in amount to the value of the article purchased, should the value thereof exceed the sum of five dollars, the said penalty to be recovered before a single justice of the peace, whose duty it shall be to return the proceedings and judgment thereon to the clerk of the county, to be collected as is herein before provided, one half to the use of the informer, and the balance to be paid to the levy court, or commissioners, as the case may be for the use of the county; it shall be the duty of the person charged to retain and produce the certificate of the magistrate, or written authority, in his or her defence, or account for its loss and contents, either by his own oath or some competent witness.

Sec. 10 And be it enacted, That it shall not be lawful for any retailer, ordinary keeper, or other person, to sell any ardent spirits, gunpowder, shot, or lead, to any free negro, mulatto or slave, without, in the case of a free negro such free negro shall produce a certificate in the nature of a license or permit, from a justice of the peace in the county in which such free negroes may reside, directed to the person so selling the same; or in case of a slave, unless such slave shall produce a written authority from his owner, employer or overseer, and any person so offending shall be subject to the like penalty, to be recovered and applied in every respect as is provided in the foregoing section of this bill.

Sec. 11 And be it enacted, That the Judges of the County Courts and Baltimore city Court, shall, at their several sessions, have full power and authority as to the continuing or withdrawal of any license or licenses to retail ardent spirits, and may, on application or remonstrance, exercise a sound discretion relative thereto, and in the recess of the county court and Baltimore City court, the Judges of the Orphan's court at their several sessions shall and may exercise a similar power, authority and discretion, and no license to retail ardent spirits shall hereafter be granted to any free negro or mulatto, except by order or under the authority of said courts, or one of them, at their respective sessions as above: Provided, That this act shall not be so construed as to take from the clerks of the county courts, or of Baltimore city court, the power of issuing license to any free white person nor to effect or alter the dates or time of issuing or granting licenses as now provided by law; but no license shall be issued by said clerk to any person from whom a license shall once have been withdrawn by order of court as above provided, except with the permission of the court: Provided also, that such negro or mulatto so obtaining a license as above, shall enter in recognizance with such sureties and in such condition and penalty as the said courts or either of them shall approve.

Sec. 12 And be it enacted, That if any free negro or mulatto shall be convicted of any crime committed after the passage of this act, which may not, under the laws of this State, be punished by hanging by the neck, such free negro or mulatto may, in the discretion of the court, be sentenced to the penalties and punishments now provided by law or be banished from this State by transportation into some foreign country.

By the House of Delegates,
March 14, 1832.

This engrossed bill, the original of which passed this House March 12, 1832 was this day read and assented to.

By order,
GEO. G. BREWER, Clk.

By the Senate,
March 14, 1832.

This engrossed bill, the original of which passed the Senate March 13, 1832, was this day read and assented to.

By order,
JOS. H. NICHOLSON, Clk.
GEO. HOWARD.

March 31 3w

AN ACT.

An additional supplement to the act of December session eighteen hundred and twenty seven, chapter one hundred and seventeen, entitled, An act to Regulate the Issuing of Licenses to Traders, Keepers of Ordinaries, and others.

SECTION 1st. *Be it enacted by the General Assembly of Maryland,* That from and after the first day of May next, for every license applied for under the second section of the said original act, and before issuing the same, the clerks of the several county courts, and of Baltimore city court, shall demand and receive for the use of the State, as herein provided, over and above the fee now allowed by law to the sheriffs of their respective counties; that is to say; if the applicants stock of goods, wares or merchandize generally on hand at the principal season of sale, be worth not more than one thousand dollars, the said clerk shall demand & receive as aforesaid the sum of twelve dollars; if more than one thousand and not more than two thousand dollars, the sum of fifteen dollars; if more than two thousand, and not more than five thousand dollars, the sum of twenty dollars; if more than five thousand dollars, and not more than ten thousand dollars, the sum of thirty dollars; if more than ten thousand, and not more than twenty thousand dollars the sum of forty dollars; if more than twenty thousand dollars, the sum of fifty dollars shall be demanded