

agent in council. It shall be the duty of every parent to send his or her children, and of every guardian the child or children under his or her care, of a fit age, to school, when there is a public school in the township, until they shall learn to read and write and cast accounts; and every father, or if there is no father, then mother, and if there is neither father nor mother, then guardian, the children of whom, or under whose care, are not sent to school, after being notified thereto by the selectmen, shall be fined at the discretion of the selectmen, not less than twelve and a half cents, nor more than twenty-five cents, for every month that each child is not sent to school; which fines may be collected, as small debts are, before a justice of the peace, and shall be appropriated to the use of public schools.

Sec. 32. *Be it enacted and ordained*, That all males between the ages of sixteen and sixty, residing in the territory, shall be enrolled in the general militia, and be liable to be called upon, at the discretion of the agent, under officers appointed by him, in the defence of the territory. The volunteer militia shall consist wholly of uniformed volunteer companies, who may elect their own officers, to be commissioned by the agent, and enact by-laws for their government, to be approved by the agent; every such by-laws containing a provision, that each company shall hold itself in readiness, at all times, to perform such actual military services as may be required by the agent. When two or more volunteer companies are formed, the agent shall appoint a major to command them.

Military offences, such as disobedience of orders, absence from and neglect of duty, violation of by-laws, shall be tried by a quarterly court martial, composed of commissioned officers, appointed by the agent, whose sentences shall be in writing, and shall be subject to the agent's approval.

Sec. 33. *Be it enacted and ordained*, That traffic in ardent spirit is expressly prohibited within the territory; and all persons convicted of selling it shall forfeit their licenses as traders, nor shall other licenses be given to them for one year after the date of the conviction; besides being subject to such a fine, not exceeding one hundred dollars for every offence, (one-half whereof shall belong to the informer,) as the court where the conviction takes place, may think proper to impose. A sufficient quantity will be kept in the government stores to supply the demands occasioned by sickness; and here only may ardent spirits be lawfully obtained.

Sec. 34. *Be it enacted and ordained*, That no emigrant shall be permitted to deal with the natives for land, nor for any other thing—labour, food and clothing, for the actual use of the emigrant, excepted—without the license of the agent, in council, to continue in force for one year, unless sooner revoked, being first had and obtained. No person shall carry on trade of any kind in the territory, without the license of the agent being first had and obtained.

Sec. 35. *Be it enacted and ordained*, That every man with a wife, or man or woman, with a child or children, on arriving in the territory, shall have conditionally, for him or herself and family, a farm lot, containing five acres of land, which shall be his or her own, absolutely, upon condition, that within two years after receiving it, he or she puts, or causes to be put, improvements upon another lot, to be designated by the agent, equal to those which were upon his or her lot, when it was first given to him or her, or which were afterwards put there, for him or her, at the expense of the government. Or, if within two years after he or she shall have received a vacant unimproved lot, should he or she select such, or the agent in his discretion give such, he or she shall clear one acre of it, and erect a substantial native house thereon, to the satisfaction of the agent. If these conditions should not be complied with, the lot shall be forfeited and belong again to government. Unmarried men of full age, shall have each a half farm lot upon the same conditions as above. If the man marries, or if he has the whole of his half farm lot in good cultivation, he shall have the entire farm lot, of which he before had but one-half. If a man, a member of a family that already has a lot, marries, he shall have a lot upon the same conditions that lots are given to new emigrants, as above.

The agent may, in his discretion, if an emigrant desires, give to him or her, instead of a farm lot, a town lot; but in such case, the town lot must be cleared, fenced, and a good house, to be approved by the agent, must be built upon it within one year, or the same shall be forfeited. Any emigrant, who is the absolute owner of a farm lot, may have a town lot, at the discretion of the agent, on paying a price therefor, and clearing, building on, and fencing the same, within one year: and an emigrant, who is the absolute owner of a town lot, may have a farm lot, at the dis-

cretion of the agent, on paying a price therefor, and performing the same conditions that are imposed upon new emigrants.

When an emigrant receives a lot in the first instance, the agent shall give to him a certificate, containing the condition on which he is to become the absolute owner; and when the condition is complied with, the certificate shall be exchanged for an absolute deed.

Persons holding town or farm lots are to keep the streets and roads contiguous thereto clear and in good travelling order, to the middle thereof, and to cultivate such trees as may be planted or left standing there for shade.

In the first settlement of the territory, assistance may be afforded to emigrants in clearing, fencing, and building on their own lots, at the discretion of the agent; and, when necessary, on their arrival, rations shall be given to them for their support; provided no persons shall receive rations for a longer period than six months after his arrival.

Should the agent deem proper, he may cause long native houses to be built, in convenient places, in which new emigrants may be received on their arrival, remaining there until they can get a house built on their own lots, or otherwise provide for their own accommodation, provided that they shall not be entitled to remain in the said long houses longer than six months from the time of their arrival in the territory.

Sec. 36. *Be it enacted and ordained*, That no person shall own land in the territory who does not reside therein.

Sec. 37. *Be it enacted and ordained*, That until a more full code shall be prepared, the following general rules shall regulate the punishment of offences, not hereinbefore provided for in the territory:

Murder, rape, setting fire to a house at night, in which a person or persons then reside, shall be considered capital crimes, and shall, on conviction, be punished with death; trading in slaves shall also be punished with death. Sedition, mutiny, and insubordination to the lawful authorities, shall be punished by the court of sessions, on conviction, by exile, fine and imprisonment, labour on the public works or farm, with a clog, and close imprisonment at night, or all or any of these punishments. Quarrelling, riot, Sabbath breaking, drunkenness and profaneness, may, upon conviction in the court of sessions, be punished by fine and imprisonment.

Carnal illicit intercourse with native women shall be punished, on conviction, by fine and imprisonment, for the first offence; and a repetition of it shall be punished, on conviction, by fine and imprisonment, labour on the public farm or works, and close confinement at night.

All other criminal offences, cognizable by the court of monthly sessions, may be punished by fine and imprisonment, labour, with a clog, on the public farm or works, with close confinement at night, and exile, in the discretion of the court, and according to the nature of the crime.

Criminal offences, cognizable by justices of the peace, shall be punished by fine and imprisonment, labour on the public farm, and close confinement at night. In case of failure to find security for good behaviour, when required, the person so failing shall perform such labour on the public farm, with close confinement at night, as the agent may deem proper, until he shall find security, or the object, for which it was required of him, shall have been answered.

Persons failing to find security to appear at court to answer criminal charges against them, may, at the discretion of the agent, be compelled to work on the public farm, and subjected to close confinement at night, until the meeting of the court.

Sec. 38. *Be it enacted and ordained*, That it shall be the duty of the agent to cause to be cleared and cultivated, in each township, a public farm, of such extent as he may think desirable, to be under the management of a person appointed by the agent, unless before appointed by the State Society.

Persons who are, at any time, without means of support, after the period has elapsed during which they are permitted to draw rations,—persons sentenced by the proper authorities to work on the public farm,—shall be made to work in the cultivation of this farm, and its produce shall be applied to their support, in the first instance, and afterwards to the use of the government.

In the first organization of a settlement, the agent may require, if he thinks it

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The Maryland State Colonization Society Papers

VIII. Commissions and Reports

D. Reports of the Board of Managers

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