

Compensation. negro or mulatto who may come into this State contrary to the provisions of this act, and all other persons are authorized to arrest any such free negro or mulatto; and such sheriff, constable or any other person as may arrest any free negro or mulatto, who shall have come into the State contrary to the provisions of this act, shall be entitled to the penalty of twenty dollars, hereby inflicted to be recovered on complaint and conviction as before stated, and such free negro or mulatto shall pay the said penalty of twenty dollars and all jail fees and expenses incident to his or her arrest and detention, or upon his or her failure to do so, he or she shall be committed and sold as herein provided, in relation to those who have incurred the penalty of five hundred dollars; *provided*, that if said negro or mulatto shall not remove out of the State within five days after he shall have paid the said sum of twenty dollars, he shall be deemed to have come a second time into this State, and shall be liable as if had so done.

Failure to pay penalty. *Not to prevent white persons on a visit, &c. bringing negro.*

Proviso. **SEC. 2. *And be it enacted*,** That nothing in this act shall be construed to prevent any white citizen or citizens of any other State, District or Territory, who shall come into this State on a visit, and not to reside, or who shall be passing through this State, from bringing with him or them any free negro or negroes, mulatto or mulattoes in the capacity of servant or servants, *provided* that the said servant shall be and continue in attendance on such white citizen or citizens, and shall depart from the State at the same time that said white citizen or citizens shall leave the said State.

Magistrates' courts to have arrested negroes who have no means of support.

Witnesses to be summoned.

To sell at public sale.

SEC. 3. *And be it enacted*, That the justices of any magistrates' courts in the several counties of this State, or of any orphans' court in the said counties in which there is no such magistrates' courts, upon information given to them that any free negro or negroes, mulatto or mulattoes, male or female, are residing within the jurisdiction or county in which said magistrates' court or orphans' court are situated, without visible means of support, shall have power to direct the sheriff or any constable of said county, to bring before the said magistrates' court or orphans' court, as the case may be, such free negro or negroes, mulatto or mulattoes, and to summon all necessary witnesses to inquire into the condition and habits of such negro or negroes, mulatto or mulattoes; and if upon examination, the justices of the said magistrates' court or orphans' court, as the case may be, shall be of the opinion that the said free negro or negroes, mulatto or mulattoes, have not the necessary means of support, and are not of good and industrious habits, then they shall issue an order in writing, directed to the sheriff or any constable of the county, requiring the said sheriff or constable to proceed forthwith to sell the said negro or negroes, mulatto or mulattoes, at public sale, to the highest bidder, to serve in the capacity of a slave for and during the year in which said sale shall be made, first

giving ten days public notice of such sale; *provided*, that nothing in this section contained shall go into effect until the first day of January next; *and provided also*, that every purchaser of any free negro or negroes, mulatto or mulattoes, by virtue of this act, shall, in addition to the price paid by him for such free negro or negroes, mulatto or mulattoes, find him, her or them, during the term for which the said purchaser shall purchase him, her or them, with good and sufficient food, lodging and clothing.

SEC. 4. *And be it enacted*, That, if within ten days from the end of the term for which any such negro or negroes, mulatto or mulattoes shall have been sold by virtue of the provisions of the third section of this act, he or she shall not leave the State, or hire him or herself to some respectable white person, to serve as a slave for the following year, then he or she shall be again sold and disposed of, as required and directed by the said third section, and in like manner in each and every successive year thereafter.

SEC. 5. *And be it enacted*, That the purchaser of any free negro or mulatto, by virtue of the provisions of the third and fourth sections of this act, shall pay to the said negro or mulatto at the end of the term for which he or she shall be sold, the amount of money bid for said negro or mulatto at the sale thereof, after deducting the necessary costs and charges, the sum of ten per centum as commissions to the officer, the sum of five dollars to the informer, if there shall be one, and the sum of one dollar to each of the justices, as a fee for their services; *provided*, that the purchase money aforesaid, after deducting costs, charges and allowances as aforesaid, which shall be paid in cash at the time of sale, shall be secured by bond, with security to the sheriff, for the use of said negro or mulatto at the end of the term aforesaid; which bond shall be then assigned to said negro or mulatto, and may be recovered, as small debts now are recoverable by law.

SEC. 6. *And be it enacted*, That, if any free negro or negroes, mulatto or mulattoes, sold by virtue of the provisions of the said third and fourth sections of this act, shall be the father or mother of any child or children below the age of twenty-one years, if male; or eighteen years, if female, then the justices of the said magistrates' courts or orphans' court, as the case may be, shall have the infant child or children brought before them, and bound out as apprentices to good masters, to serve until the age of twenty-one years, if male, and until the age of eighteen, if female, in like manner as orphan children are now bound out; and all indentures made by the justices of the magistrates' courts shall be by them returned to the orphans' court of the county in which said magistrates' court is situated, and shall be subject to all the provisions of law regulating indentures of apprentices in this State; *provided*, that the interest in said apprentices shall in all respects be considered personal

Proviso.

In case of neglect to hire, &c.

Amount of bid to be paid negro, &c.

Deduction to be made.

Proviso.

Children of negroes so sold, to be bound out.

Indenture to be returned, &c.

proviso.