

Purchasing from negroes forbid. Articles mentioned.

Without certificate.

Penalty.

Recoverable.

Duty of accused to retain and produce certificate.

Sale to negroes of spirituous liquors, gunpowder, &c., forbid.

Without specific certificate, if free.

Or written order of master, &c. of a slave. Under penalties.

Courts authorised to withdraw licenses for selling.

Similar power to orphans' courts.

Negroes not to have licenses or sell spirits.

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 the 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 hereinbefore 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 negro 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 forgoing 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 into 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.

Explanatory proviso.

Further proviso.

Negroes convicted of crimes not capital, may be punished according to existing laws, or banished the State.

*Resolved by the Mayor and City Council of Baltimore*, That the Mayor be, and he is hereby authorised and directed to subscribe to the Capital Stock of the Baltimore and Ohio Rail Road Company, the sum of three millions of dollars, in the name of the Mayor and City Council of Baltimore, provided that the whole sum shall be exclusively applied to the prosecution of the work in an unbroken line from Harper's Ferry, or such point near that place as shall be selected, from which the extension shall be made.

Baltimore and Ohio rail road Company.

Approved, March 17, 1836.

S. SMITH, Mayor.