

any county court as a court of equity, if any of the defendants shall have answered the bill of complaint, and on a general replication filed thereto, a commission in chief shall have issued to take testimony thereon, and if in the same case an interlocutory decree shall have been or shall be entered against any other defendant, for want of an appearance or answer, and a commission *ex parte* directed to be issued, it shall not be necessary in such case for the complainant to have such commission *ex parte* issued and executed, but he shall be at liberty to take such testimony under the commission in chief, as may be necessary to sustain his case against said defaulting defendant; and all testimony taken under any commission in chief, issued as aforesaid, shall be admissible in evidence, and have like effect against such defaulting defendant as if the same was taken under a commission *ex parte* issued under an interlocutory decree against such defendant.

Or optional.

CHAPTER 150.

AN ACT to prohibit the owners of Vessels, and others, from Navigating the same by and under the sole command of Negroes or Mulattoes.
Supplement, 1837, ch. 23.

WHEREAS, great inconvenience and injury, has been found to result to the citizens of this state, from the practice of navigating vessels entirely by negroes or mulattoes, whereby a clandestine trade is carried on and slaves intending to abscond from their masters and owners, find great facility, for remedy whereof,

Preamble.

SEC. 1. *Be it enacted, by the General Assembly of Maryland,* That from and after the first day of May next, it shall not be lawful for any person owning in whole or in part, or having hired in whole or upon shares, any schooner, sloop or other vessel, required by the laws of the United States to be registered, to navigate or work, or cause the same to be navigated or worked within the waters of the state of Maryland, without having on board said schooner, sloop, or other vessel at least one white man, above the age of eighteen years, under whose care the said schooner, sloop or other vessel, shall be navigated and worked.

Unlawful to navigate without a white man in charge.

SEC. 2. *And be it enacted,* That if any such owner or owners, or other person or persons of such schooner, sloop, or other vessel, shall navigate or cause the same to be navigated contrary to the provisions of this act, such schooner, sloop, or other vessel, shall be forfeited or the value thereof, one-half to the state and the other half to the informer, to be according as herein after provided.

Forfeit the value of the vessel.

SEC. 3. *And be it enacted,* That upon information given to any justice of the peace by any one or more credible persons under oath, that any schooner, sloop, or other vessel is navi-

On information to justice.