

he is hereby required and directed, (a) to proceed to sell such servant or slave, and immediately to give public notice by advertisements, to be set up at the court-house door and such other public places as he shall think proper, in the county where such servant or slave is in custody, of the time and place for sale of such servant or slave, by him to be appointed, not less than ten days after the time limited as aforesaid has expired, and at such time and place shall proceed to sell and dispose of such servant or slave to the highest bidder.

(a) By 1817, ch. 112, s. 6, the sheriff, instead of selling the servant or slave as directed by the latter part of this section, is to carry him before a judge of the county or orphans court, who is to examine whether he be a slave or not, and if believed to be a slave, to remand him to prison, and cause notice to be given to the supposed owner. If after such remand, and within the time for which he may be remanded, no person applies for and proves title to such suspected runaway, the sheriff shall discharge him. But if the judge shall not believe such suspected runaway to be a slave, he shall order him to be released.

3. AND BE IT ENACTED, That the sheriff shall, under the penalty of fifty dollars for every such offence, make out, on oath, and return to the justices of the levy court, at their next session after the sale of any servant or slave, an account, stating the time of the commitment, the time of sale, the name of the purchaser and terms of sale, and the expenses and costs of advertising, securing and keeping, and the amount for which such servant or slave has been sold, and out of the money arising from such sale to retain the amount of such costs and charges as he is by law entitled to, and no more, and the balance, if any, to be paid to the justices of the levy court, who are hereby authorised and directed to pay the same to the owner of such servant or slave, if such owner shall apply for it within two years from the time of such sale, and if it shall not be applied for within two years as aforesaid, then the money so paid to the levy court shall be applied to the use of the county; *Provided*, that any servant or slave sold as aforesaid shall not be carried or transported out of this state until after two years have elapsed from the time of such sale, and any person or persons who shall carry, or cause to be carried out of this state, within the time limited as aforesaid, any such servant or slave, shall incur and be subject to the like penalties as persons are who shall transport or carry any free negro out of this state.

To return to levy court an account of expenses.

Provided.

See note under section 2.

4. AND BE IT ENACTED, That if any sheriff shall refuse or neglect to comply with the directions of this act, he shall, for every such refusal or neglect, forfeit and pay the sum of one hundred dollars.

Penalty for neglect.

5. AND BE IT ENACTED, That an act, entitled, 'A supplement to the act relating to servants and slaves, passed May session, seventeen hundred and nineteen,* and an act, entitled, 'An act to restrain the ill practices of sheriffs, and to direct their conduct respecting runaways, passed November session, seventeen hundred and ninety-two,† be and they are hereby severally repealed.

Acts repealed.

* Ch. 2.

† Ch. 72.

CHAP. XXVII.

An Act for the relief of sundry Insolvent Debtors: L.B. JG. No. 4, Passed Jan. 8, 1803 fol. 308.

A Supplement ch. T12.