

C H A P. LXXIX. shall be the duty of said justice to issue his warrant, directed to the constable, to apprehend said slave or slaves, and bring him or them before him, or some other justice of the peace for said county, and said offender or offenders shall be whipped, at the discretion of said justice, not exceeding thirty-nine lashes.

On persons preventing dams being destroyed, &c.

IV. AND BE IT ENACTED, That if any person or persons shall obstruct or hinder any other person or persons in or from pulling down, prostrating or abating, any such nuisances as aforesaid, or shall assault or wound any person for pulling down, prostrating or abating, any such nuisance as aforesaid, after attempting so to do, every such person, for every such offence, besides being subject to the action of the injured for damages, shall forfeit the sum of thirty pounds current money to be recovered, with costs, and applied as aforesaid.

Defendants, in certain cases, to give bail, &c.

V. AND BE IT ENACTED, That in any action or suit for recovery of any of the said penalties and also in any action for an assault, beating or wounding, for pulling down, prostrating or abating such nuisance as aforesaid, or for attempting so to do, on affidavit, or other proof satisfactory to the Frederick county court, where such suit or action is depending, or their being cause for bringing the same, the defendant shall and may be compelled to give good and sufficient special bail.

An act deemed public, &c.

VI. AND BE IT ENACTED, That this act shall be deemed a public act, and the same shall and may be given in evidence in justification of or for any matter or thing done by virtue thereof, on the general issue, without specially pleading the same.

Not to prevent the erecting bridges, &c.

VII. AND BE IT ENACTED, That this act, or any thing herein contained, shall not hinder, or be construed to hinder or prevent, the erecting, or causing to be erected, any bridge or bridges over said river Monocacy, with convenient arches for admitting of boats, and other vessels of burthen passing through the same, with the least obstruction that may be.

An act to be given in charge, &c.

VIII. AND BE IT ENACTED, That it shall be the duty of Frederick county court, at every term to give this act in charge to the grand jury.

C H A P. LXXX.

Passed 4th of Jan. 1807.

An ACT annulling the marriage of Sally Lutig, of the city of Baltimore.

Marriage declared void, &c.

BE IT ENACTED, by the General Assembly of Maryland, That the marriage of the said Sally Lutig and John C. Lutig her husband, heretofore solemnized, be and the same is hereby declared to be absolutely, and to all purposes, null and void; and the said Sally Lutig and John C. Lutig her husband, are hereby declared to be divorced, a vinculo matrimonii; provided always, that nothing in this act contained be construed to illegitimate the children of the said Sally Lutig and John C. Lutig, any law to the contrary notwithstanding.

C H A P. LXXXI.

Passed 4th of Jan. 1807.

An ACT to restrain the evil practices arising from negroes keeping dogs, and to prohibit them from carrying guns or offensive weapons.

Negroes not to keep dogs, &c.

BE IT ENACTED, by the General Assembly of Maryland, That after the first day of May next, it shall not be lawful for any negro or mulatto within this state to keep any dog, bitch or gun, except he be a free negro or mulatto, and in that case he may be permitted to keep one dog, provided such free negro or mulatto shall obtain a licence from a justice of the peace for that purpose, and that said licence shall be in force for one year, and no longer, and if any dog or bitch owned by any negro, not possessed of such licence, shall be seen going at large, it shall and may be lawful for any person to kill the same, and in case of any suit instituted therefor, the person or persons killing the said dog or bitch may plead the general issue, and give this act in evidence.

Nor to carry guns, &c.

II. AND BE IT ENACTED, That after the said first day of May next, it shall not be lawful for any free negro or mulatto to go at large with any gun, or other offensive weapon; and in case any free negro or mulatto shall be seen going at large carrying a gun, or other offensive weapon, he shall be liable to be carried before any magistrate, in virtue of a warrant to be issued by any justice of the peace, directed to a constable of the county, and on conviction of having violated the provisions of this section of the act, such offender shall thereupon forfeit, to the use of the informant, such gun or other offensive weapon, which shall thus have been found in his or her possession, and be subject