

drawal 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 orphans 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provided by law; but no license shall be issued by said clerk to any person from whom a license shall once have been withdrawn by order of court as above provided, except with the permission of the court: *Provided also*, that such negro or mulatto so obtaining a license as above,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 sufficient sureties and in such condition and penalty as the said courts or either of them shall approve.

licenses for selling.

Similar power to orphans courts.

Negroes not to have licenses to sell spirits.

Explanatory proviso.

Further proviso.

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.

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

#### DECEMBER, 1832.—CHAPTER 40.

AN ACT to explain an Act of Assembly, passed at December session, eighteen hundred and thirty-one, chapter three hundred and twenty-three, entitled, 'an Act relating to Free Negroes and Slaves.'

*Be it enacted, by the General Assembly of Maryland*, That nothing contained in the act of assembly, passed at December session, eighteen hundred and thirty-one, chapter three hundred and twenty-three, entitled, 'an act relating to free negroes and slaves,' shall be taken or construed in any manner to apply to, or to prohibit any person or persons from importing, removing, or again bringing into this state any negro, mulatto, or other slave, which shall have been, or may hereafter be taken from this state, and hired to service, in any adjoining state, district or territory for a limited time; *Provided*, no such negro, mulatto, or other slave, shall, under any pretext whatever, be introduced or brought into this state by any person other than an actual inhabitant of this state, who shall also be the owner and proprietor of such slave, both at the time of the hiring or letting

Original act not to extend to cases of slaves hired, &c.

Proviso.