

of constables of the different counties of the state, and of the cities of Baltimore, Annapolis and Frederick to make diligent inquiry, and where they find any free negro or mulatto living idle, without any visible means of maintenance, or going at large through their counties or cities without any visible means of support, to lodge such information with some justice of the peace of their counties or cities who shall thereupon, on being satisfied of the truth of the same, issue his warrant, directing him to apprehend such person or persons, and bring him, her or them before some judge or justice of such county or city, and upon the return of any such warrant, such judge or justice, before whom the same shall be returned, is hereby authorized and empowered to inquire by all lawful means whether such free negro, or mulatto, is an offender under this act, and if it shall be made appear to the satisfaction of such judge or justice, that such person is such an offender, then in such case, such judge or justice is hereby directed, forthwith, to order such free negro or mulatto to give security for his good behaviour in a penalty not exceeding thirty dollars, or on default of such security, to order such free negro, or mulatto, to depart the state within fifteen days; and such free negro or mulatto, refusing to comply with this act, or after leaving this state, shall again return within six months, may be again taken up and carried before some judge or justice of the peace, who may commit the said free negro, or mulatto, to the common gaol of the county; and in case such person or persons, so committed, shall not within twenty days thereafter, pay his or her prison charges, it shall and may be lawful for the sheriff of such county, wherein such person or persons, shall have been committed, with the approbation of any two justices of the peace of such county, to sell such person or persons, to serve for a period of time not exceeding six calendar months, and the money therefrom arising, after payment of the charges incurred by such commitment, to pay over unto the justices of the levy courts of the respective counties, for the use of said counties: *Provided*, That if any such free negro, or mulatto shall consider himself or herself aggrieved by the decision of such justice of the peace, the person so aggrieved thereby shall have the right to appeal therefrom, to the next county court, upon giving reasonable security for appearing before said court and prosecuting said appeal: *And provided also*, that if such negro or mulatto shall within the said fifteen days, from the date of the said order of the said judge or justice that such negro or mulatto shall depart this state, hire him or herself to some responsible citizen of this state for three months, then and in that case such negro or mulatto shall not be compelled to depart in compliance with the said order.