

to be set up in the most public places of the county, and, within thirty days after such date, procure the same to be inserted in some daily newspaper published in the city of Baltimore.

10. Upon proof of property by the oath of the owner of such flat boat or other vessel, or otherwise before a justice of the peace, and upon payment of reasonable costs and charges for the same, the person so taking up and securing the same, shall deliver the said flat boat or other vessel to the owner thereof.

11. If any person shall take and secure any flat boat or other vessel driven from any place of mooring, landing or harbor, or from any other vessel, and shall fail to comply with the provisions of the two preceding sections, he shall forfeit to the owner thereof the sum of ten dollars, to be recovered as small debts before a justice of the peace of the county where the party charged may reside.

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## ARTICLE XXXVII.

### *Evidence.*

#### COMPETENCY OF WITNESSES.

SEC. 1. No negro or mulatto, whether free or slave, and no Indian, shall be admitted as evidence in any matter depending in any court or before any justice of the peace where any white person is concerned.

2. Convicts confined in the penitentiary shall be admitted as witnesses in all cases where any person confined in the penitentiary may be accused or on trial for any offence whatsoever committed while thus confined in the penitentiary, both for and against such accused persons.

3. Any negro or mulatto, whether slave or free, may be a witness for or against any negro or mulatto, slave or free, in any proceeding whatever.

4. No person convicted of perjury or subornation of perjury shall be received as a witness until the judgment against him be reversed.