

4. AND BE IT ENACTED, That after the said alley is opened the same shall be deemed and taken as a public alley for ever thereafter.

CHAP. 60.

When opened to be deemed public.

CHAP. LXI.

*An Act for the relief of John S. Moffitt.* Lib. TH. No. 2, fol. 498. Passed Dec. 22.

A Private Act.

Confirming a deed to him from Thomas Moffitt, attorney for Mary Hall, for a tract of land called *Hall's Retreat*.

CHAP. LXII.

*An Act for the benefit of Alexander M. Kinzie and John M. Kinzie.* Passed Dec. 23, Lib. TH. No. 2, fol. 499. A Private Act.

Relinquishing to them the state's right in two tracts of land called *Elizabeth's Diogenes* and *Deep Point* lying in Baltimore county, and in all the real estate to which Elhur Frazier had any right.

CHAP. LXIII.

*A Further Supplement to the Act(a), entitled, An act relating to Negroes, and to repeal the Acts of Assembly therein mentioned.* Lib. Passed Dec 23, TH. No. 2, fol. 503.

(a) 1796, ch. 67. See 1802, ch. 96; 1804, ch. 90; 1817, ch. 112; and 1818, ch. 201

1. BE IT ENACTED, by the General Assembly of Maryland, That any court, or any judge or justice of this state, before whom any negro or mulatto shall be brought as a runaway, shall be satisfied, by competent testimony, that the said negro or mulatto is not a runaway, before it shall be lawful for the said court, judge or justice, to discharge the said negro or mulatto from the custody of the person or persons detaining the said negro or mulatto as a runaway, otherwise than by a commitment to the gaol of the county of which he is judge or justice.

Court or judge before whom any negro is brought as a runaway, must be satisfied that said negro is not a runaway, before he shall discharge him.

See 1817, ch. 112, s. 6.

2. AND BE IT ENACTED, That upon any petition for freedom now depending, or hereafter to be brought, or upon any writ of *homine replegiando*, now depending, or hereafter to be brought, in any county court of this state, or in the court of oyer and terminer and gaol delivery for Baltimore county,(b) provided a jury has not been empannelled in the case, it shall and may be lawful for such county court, or court of oyer and terminer and gaol delivery for Baltimore county, upon suggestion, in writing, by the person or persons against whom such writ or petition has or may issue or be filed, or the plaintiff or petitioner, as the case may be, supported by competent testimony, that the person or persons by whom the said writ or petition has or may be issued or filed, is or are descended from a female ancestor who was held in bondage at the time of his or her nativity, in a county different from that in which the said writ or petition is depending, or may be brought, and that testimony, material and competent in the trial of the said writ or petition, can be had in the county where the said ancestor was held in bondage at the time of his or her nativity, to order and direct the record of their proceedings in such writ or petition to be transmitted to the judges of the county court of the county where the said ancestor was held in bondage as aforesaid, and the judges

In certain cases record may be transmitted to a different county than that in which petition was filed.

(b) By 1816, ch. 193, all the powers, &c. of this court are transferred to and vested in Baltimore City Court.