

## C H A P. XIX.

An ACT for holding an election for sheriffs in Somerset county, and to enable the governor and council to determine the validity of elections for sheriffs.

Preamble.

**W**HEREAS the late election of sheriffs for Somerset county was unfairly and unduly made, by reason of a number of armed men attending and influencing the same, contrary to the constitution of this state and the policy of all good government :

Election for  
sheriffs to be  
held on May  
11.

II. *Be it enacted, by the general assembly of Maryland,* That on the eleventh day of May next an election shall be held for a sheriff for Somerset county, agreeable to the directions of the form of government ; and that Levin Gale, Thomas Hayward, and Thomas Bruff, Esquires, or any two of them, shall hold the said election, and be judges of the qualifications of the voters, and shall make return thereof to the governor and the council.

Governor  
may deter-  
mine the va-  
lidity of elec-  
tions, &c.

III. *WHEREAS* it is uncertain by our constitution what body has the power of determining the validity of the elections for sheriffs, *Be it enacted,* That the governor for the time being, with the advice of the council, is hereby empowered to judge of and determine the validity of all elections for sheriffs, and if it shall appear that such elections have not been made fairly and freely, and agreeable to the constitution of this state, shall issue new writs of election for sheriffs agreeable to the directions of the form of government.

## C H A P. XX.

An ACT to punish certain crimes and misdemeanors, and to prevent the growth of toryism.

Preamble.

**W**HEREAS the clemency of this state, towards such of its subjects and inhabitants as are inimical to its freedom and independence, has not had the desired effect of reclaiming them from their evil practices, but still pursuing their dark and criminal designs of enslaving America, they continue to encourage and promote the operations of our enemies : And whereas every hope of uniting to the interest of their country the affections of these its unnatural and implacable enemies is extinguished, and great disadvantages have arisen, and still more dangerous consequences may be apprehended, from a delay of effectual measures to suppress or remove them from the society of a free people, constrained by oppression to declare their independence, and determined at all events to maintain the same :

Persons levy-  
ing war a-  
gainst the U-  
nited States,  
&c. to suffer  
death, &c.

II. *Be it therefore enacted, by the general assembly of Maryland,* That if any subject or inhabitant of this state shall, within or without the same, and if any person whatever, being an inhabitant of any other of the United States, shall, within this state, levy war against the United States, or any of them, or shall adhere to any person bearing arms, or employed in the service of Great-Britain, against the United States, or any of them, or shall afford such persons, or any of them, any aid or comfort, or shall give them, or any of them, or any subject of Great-Britain, any intelligence of the warlike preparations or designs of the United States, or any of them, and shall be thereof convicted in the general court of this state, or shall stand mute, or peremptorily challenge above the number of twenty of the pannel, shall be adjudged guilty of treason against this state, and shall suffer death without benefit of clergy, and forfeit all the estate which he had at the time of the commission of the crime, to the use of this state ; and the several crimes aforesaid shall receive the same constructions that have been given to such of the said crimes as are enumerated in the statute of Edward the third, commonly called the statute of treasons.

Persons guilty  
of misprison  
of treason to  
lose their  
estates.

III. *And be it enacted,* That if any subject or inhabitant of this state, having knowledge of the actual commission of any of the crimes aforesaid, above declared to be treason, shall conceal the same, and shall not, as soon as conveniently may be,