

ance or conveyances, with the consent aforesaid, expressed as aforesaid, shall be executed, acknowledged and recorded, in the same manner, and shall have the same operation and effect, as if the said Alexander were of full age at the time of executing them respectively; provided always, that before any sale or disposition of the said two tracts of land shall be made by virtue hereof, the said John M. Kinzie shall give bond to the state of Maryland, with such security as the orphans court of Baltimore county shall approve, for the faithful application of the money arising from the sale of said lands, and for the payment of the legacy bequeathed to the said Mary Towson, in case of the death of the said Alexander M. Kinzie, in manner aforesaid, which bond shall be recorded among the records of the orphans court of Baltimore county, and may be sued on in like manner as is provided in cases of guardians bonds.

C H A P.
LXII.

C H A P. LXIII.

A Further Supplement to the Act, entitled, An Act relating to Negroes, and to repeal the Acts of Assembly therein mentioned.

Passed December 23, 1810.

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.

II. 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, 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 of the county court to whom the said record shall be transmitted, shall hear and determine the same in like manner as if the same had originally been brought or filed therein.

III. AND BE IT ENACTED, That where any petitions for freedom have or may be filed hereafter in any county court of this state, or in the court of oyer and terminer and gaol delivery for Baltimore county, by any petitioner who was or shall be in the county where the said petition was or may be filed by permission of his or her owner, which said owner was or shall not be an actual resident of the county where the said petition was or may be filed, at the time when the same was or may be filed, the said county court, or court of oyer and terminer and gaol delivery for Baltimore county, are hereby authorised and required, upon suggestion in writing, supported by competent testimony, that the person thus claiming to be the owner of the said petitioner had actually held the said petitioner in bondage, and that the said petitioner was in the county where the said petition has been or may be filed by the permission of his owner, and that the said owner is not, or was not, an actual resident of the county where and when the said petition was or may be filed, to permit the said owner to appear and defend the said action, and to order and direct the record of the proceedings on such petition to be transmitted to the court of the county where the said owner resided at the time when the said petition was or may be filed, and the judges of the county court to whom the said record shall be transmitted, shall hear and determine the same in like manner as if such petition had originally been filed therein.

C H A P. LXIV.

An ACT to confirm a Road in Harford and Baltimore Counties therein mentioned.

Passed December 23, 1810.

WHEREAS by a resolution of the general assembly of Maryland passed at November session, eighteen hundred and nine, William C. Goldsmith, Abraham Cole, John S. Beit, John Glen-

E