

- CHAP. 38. shall be sold by the sheriff at public sale, to the highest bidder, whether a resident of this State or not, first giving ten days notice of such sale, to serve in the character and capacity of a slave; and the said sheriff after deducting prison charges and a commission of ten per cent, shall pay over one half of the nett proceeds to the informer, and the balance he shall pay over if sold in a county on the Eastern Shore, to the treasurer of said Shore, or if sold in a county on the Western Shore, to the treasurer of the Western Shore, for the use of the colonization society of the State of Maryland; and for all sums of money so received by the said sheriff his bond shall be answerable on his failure to pay the same over, in an action at law in the name of the State of Maryland, for the use of the parties entitled to receive the same by this act; and all sheriffs and constables are hereby required to arrest any free negro or mulatto who may come into this State contrary to the provisions of this act, and all other persons are authorised to arrest any such free negro or mulatto; and such sheriff, constable or any other person as may arrest any free negro or mulatto, who shall have come into the State contrary to the provisions of this act, shall be entitled to the penalty of twenty dollars, hereby inflicted to be recovered on complaint and conviction as before stated, and such free negro or mulatto shall pay the said penalty of twenty dollars and all jail fees and expenses incident to his or her arrest and detention, or upon his or her failure to do so, he or she shall be committed and sold as herein provided, in relation to those who have incurred the penalty of five hundred dollars; *provided*, that if said negro or mulatto shall not remove out of the State within five days after he shall have paid the said sum of twenty dollars, he shall be deemed to have come a second time into the State, and shall be liable as if had so done.
- SEC. 2. *And be it enacted*, That nothing in this act shall be construed to prevent any white citizen or citizens of any other State, District or Territory, who shall come into this State on a visit, and not to reside, or who shall be passing through this State, from bringing with him or them any free negro or negroes, mulatto or mulattoes in the capacity of servant or servants, *provided* that the said servant shall be and continue in attendance on such white citizen or citizens, and shall depart from the State at the same time that said white citizen or citizens shall leave the said State.
- Notice to be given before sale
- To pay over
- Bond to be answerable for all money received
- To arrest
- Compensation
- Failure to pay penalty
- Proviso.
- Not to prevent white persons on a visit, &c. bringing negro
- Proviso