

## JOURNAL

“warrant,” “directing him to apprehend such person or persons, and bring him, her or them, before some judge or justice of such county; and upon the return of any such warrant, such judge or justice, before whom the same shall be returned, is hereby authorised and empowered, to inquire by all lawful means, whether such free negro, or mulatto, is an offender under this act, and if it shall be made appear to the satisfaction of such judge or justice, that such person is such an offender, then in such case, such judge or justice is hereby directed, forthwith to order such free negro or mulatto to give security for his good behaviour in a penalty not exceeding thirty dollars, or on default of such security, to order such free negro, or mulatto, to depart the state within five days; and such free negro, or mulatto, refusing to comply with this act, or after leaving this state, shall again return within six months, may be again taken up and carried before some judge or justice of the peace, who may commit the said free negro or mulatto, to the common gaol of the county; and in case such person or persons, so committed, shall not, within twenty days thereafter, pay his or her prison charges, it shall and may be lawful for the sheriff of such county, wherein such person or persons shall have been committed, with the approbation of any two justices of the peace of such county, to sell such person or persons to serve for a period of time not exceeding six calendar months, and the money therefrom arising, after payment of the charges arising from such commitment, to pay over unto the justices of the levy courts of the respective counties, for the use of said counties.”

On motion by Mr. Williams, the following was added to the 1st section.

“Provided, That if any such free negro or mulatto shall consider himself or herself aggrieved by the decision of such justice of the peace, the person so aggrieved thereby, shall have the right to appeal therefrom to the next county court, upon giving reasonable security for appearing before said court, prosecuting said appeal.”

On motion by Mr. Williams the following section was stricken out.

Sec. 3. And be it enacted, That in addition to the oaths heretofore taken by constables, they shall take the following, to wit: “I, A. B. constable, of district No. , make oath, that I will, to the best of my abilities, perform the duties required of me by this act, without favour, affection or partiality.”

On motion by Mr. Williams, the following was inserted in lieu thereof.

“That in addition to the oath or affirmation heretofore required to be taken by constables, they shall take an oath or affirmation as follows, to wit: I, A. B. constable of , do swear (or affirm, as the case may be,) that I will, to the best of my ability, perform all the duties required of me by the “act relating to negroes and to repeal the acts of assembly therein mentioned,” and the several supplements thereto, without favour, affection, or partiality.”

On motion by Mr. Howard, the further consideration of the same was postponed until to morrow.

The bill to divorce William Alexander, and Elizabeth Alexander, of the city of Baltimore, and the bill to incorporate the Westminster School, were severally read the second time, passed, and sent to the senate.

The resolution in favour of the clerk of Anne-Arundel county court, was read the second time, assented to, and sent to the senate.

The clerk of the senate returns the bill to authorise the excavation of