

An ACT for the trial and punishment of spies, and such as may join the enemy.

B^E it enacted, by the General Assembly of Maryland, That any justice of the peace, lieutenant, or militia field officer, may arrest, or cause to be arrested, any person within his county, city, or town, whom he may suspect to be a spy, or emissary from the enemy, and if on examination such person cannot give a good and satisfactory account of himself, and of his place of abode, and mode by which he procures a living, and his business in the place in which he shall be arrested, such justice, lieutenant, or militia field officer, may commit such suspected person to the gaol of his county, and give the governor and the council immediate information thereof, that they may take order therein; or may send such arrested person to them under guard, for the purpose aforesaid.

Justice, &c. may arrest any person suspected of being a spy, &c.

II. **AND**, For the better discovery of spies or emissaries in the city of Annapolis and the towns in this state,

III. **BE** it enacted, That it shall be the duty of the justices, and every constable appointed within the said city or any town, diligently to enquire after all strangers, or other persons, coming into the said city or any town, whose conduct or character they may suspect; and every housekeeper in the said city or any town (except innkeepers) in whose house any stranger may hereafter come to lodge or board, shall inform some justice of his city or town of the name of such lodger or boarder; and every innkeeper entertaining a stranger shall, if he has any suspicion that he is a spy, or emissary of the enemy, or inimical to this state, inform some justice of his city or town; and if any person shall lodge, board, or entertain, any spy or emissary, having good reason to believe him to be such, and neglecting to give information as aforesaid, such person, on conviction in due course of law, shall be fined, not exceeding one thousand pounds, in the discretion of the court.

Justices to enquire after strangers, &c.

IV. **AND** be it enacted, That on any person being apprehended as a spy, the governor and council may appoint a court of judicature for the trial of such person, composed of a regular general or field officer, or county lieutenant, and two or more regular or militia field officers, and three or more commissioned regular or militia officers, who (after taking an oath to determine on the case referred to them according to the laws and practice of nations and the usages of war) shall proceed to pass sentence of acquittal or condemnation of such person, and if such sentence shall be of condemnation and death, in which two thirds of the court concur, and the governor and council approve the same, such sentence of death may, by order of the governor, be accordingly executed, or the governor may pardon such spy after conviction, absolutely or conditionally, on such terms as he may think fit; and in case any spy shall be apprehended on the eastern shore, or more than thirty miles from the governor and council, the lieutenant of any county, or any militia field officer, having the command of a separate party, before whom such spy shall be brought, with the agreement of any two or more officers, of the rank of captains at least, having taken the oath

Governor and council may appoint a court of judicature, &c.