

JOHN EAGER HOWARD, Esquire, Governor.

1799.

V. This act to continue and be in force as long as the act to which this is a supplement.

C H A P. VIII. Continuance.

C H A P. IX.

An ACT to repeal certain parts of an act, entitled, An act to prevent disabled and superannuated slaves being set free, or the manumission of slaves by any last will and testament, and of a supplementary act thereto, and for certain other purposes.

Passed December 14.

**W**HEREAS it is contrary to the principles of justice to prevent the manumission of slaves by last will and testament,

Preamble.

II. *Be it enacted, by the General Assembly of Maryland,* That all that part of an act, entitled, An act to prevent disabled and superannuated slaves being set free, or the manumission of slaves by any last will or testament, which is contained within the third section thereof, shall be and is hereby repealed.

Part of an act repealed.

III. *And be it enacted,* That from and after the passage of this act, it shall and may be lawful for any person or persons, capable in law to make a valid will and testament, to grant freedom to, and effect the manumission of, any slave or slaves belonging to such person or persons, by his, her, or their last will and testament, and such manumission of any slave or slaves may be made to take effect at the death of the testator or testators, or at such other periods as may be limited in such last will and testament: Provided always, that no manumission hereafter to be made by last will and testament, shall be effectual to give freedom to any slave or slaves, if the same shall be in prejudice of creditors, nor unless the said slave or slaves shall be not exceeding the age of fifty years, and able to work and gain a sufficient maintenance and livelihood, at the time the freedom to be given by last will and testament shall be intended to commence.

Persons may manumit slaves by will, &c.

IV. *And,* whereas it is contrary to the dictates of humanity and the principles of the christian religion to inflict personal penalties on children for the offences of their parents, *Be it enacted,* That all those parts of an act, entitled, An act relating to servants and slaves, and of another act, entitled, A supplementary act to the act, entitled, An act relating to servants and slaves, which impose a servitude to the age of thirty-one years on the issue of certain inordinate copulations mentioned in the twenty-sixth, twenty-seventh, and twenty-eighth sections of the said first mentioned act, and in the second and third sections of the said last mentioned act, shall be and they are hereby repealed: Provided always, that nothing in this act shall affect the right of any person or persons whatever to the servitude of any such issue heretofore acquired under the repealed parts of the acts aforesaid.

Parts of former laws repealed, &c.

V. *And be it enacted,* That from and after the passing of this act, if any person or persons shall forcibly or fraudulently transport or carry, or cause to be transported or carried, out of this state, any free negro or mulatto, knowing such negro or mulatto to be free, every such person or persons shall forfeit and pay the sum of three hundred pounds current money for every negro or mulatto so transported or carried, or cause to be transported or carried; and if any person or persons shall transport or carry, or cause to be transported or carried, out of this state, any negro or mulatto entitled to freedom at a certain age, and sell or otherwise dispose of, or cause to be sold or otherwise disposed of, out of this state, such negro or mulatto as a slave for life, knowing such negro or mulatto to be entitled to freedom at a certain age, every such person or persons shall, for every such offence, forfeit and pay the sum of three hundred pounds current money.

Penalty on persons transporting free negroes, &c.

VI. *And,* whereas it is just and reasonable that the faithful services of slaves should not be forgotten after they are grown old or incapable of labour, and humanity requires that such slaves, when grown old in service, or rendered infirm by accidents or misfortunes, should be still supported and maintained by their masters, mistresses or owners, *Be it therefore further enacted,* That if any master, mistress, owner or owners, of any slave or slaves grown old and incapable of labour, or otherwise disabled by sickness or accident, shall refuse or neglect

Masters, &c. to provide for old or disabled slaves, &c.