

C H A P.
LV.Petitioner, &c.
may apply to
the court, &c.

III. *And be it enacted*, That in all petitions now depending, or hereafter commenced, for freedom, either the petitioner or defendant may apply to the court for the benefit of a trial by jury, and that the court shall thereupon charge, as the law directs, the attending jury to determine each and all of the allegations contained in the said petition, which may be controverted, any law, usage or custom, to the contrary notwithstanding.

There shall be
no appeal, &c.

IV. *And be it enacted*, That there shall be no appeal from the judgment of the county court upon such petitions, except as to matters of law, where the facts shall have been tried by a jury; and the master, mistress or owner, of such petitioner, or the petitioner, at the election of either, shall have the right of appeal as to matters of law only, in all cases so tried, to the general court of their respective shore, any thing in this law contained to the contrary notwithstanding.

Master, &c.
may chal-
lenge, &c.

V. *And be it enacted*, That either the master, mistress or owner, of such petitioner, or the petitioner, shall have the right and privilege of challenging peremptorily to the number of twelve jurors impanelled to try the facts in issue, and for want of a sufficient number of jurors remaining upon the original pannel, a *tales*, at the prayer of either party, shall be awarded by the court, to try the said issue or issues.

C H A P. LVI.

Passed De-
cember 28.

An ACT to appoint a health officer for the port of Baltimore-town, in Baltimore county.

Preamble.

WHEREAS, to prevent the ingress of the plague, or other malignant contagious diseases, is an object of great importance to the welfare and commerce of the citizens of the state; till, therefore, proper arrangements and establishments shall be made by congress in the premises,

Governor to
appoint, &c.

II. *Be it enacted, by the General Assembly of Maryland*, That the governor, with the advice of the council, shall and he is hereby authorized to appoint one or more persons, being able and skilful physicians, whose duty it shall be to visit and examine all foreign vessels, and other vessels coming from suspected places, and where it shall appear necessary, to oblige the same to perform quarantine, not less than ten days nor exceeding twenty; and in all such cases the visiting physician shall give a certificate to the captain or master of the vessel, signed with his name, expressing the number of days the said vessel is to ride quarantine; and at or before the end of each quarantine, the physician is hereby enjoined to make a second visit to the said vessel, and should it appear to him that a farther quarantine is necessary, he is hereby authorized to enjoin the same for any number of days not exceeding ten.

Masters of ves-
sels having
passengers dis-
ordered, not
to land, &c.

III. *Be it enacted*, That if the master, or other person having charge of any vessel bound to the port of Baltimore, having on board altogether, when the said vessel departed from port, above thirty passengers on board, disordered with any contagious disease, or coming from any sickly port or place, without a clean bill of health, shall bring his vessel, or suffer or permit the same to be brought, nearer to the port of Baltimore than Hawkins's Point, or shall land, or bring on shore, or cause or suffer to be landed or brought on shore, any of such infected persons, or any part or parcel of their goods or effects, or any other goods, until he has obtained a licence or permit so to do from the physician, or his assistant aforesaid, such master, or other person having charge of such vessel, shall forfeit and pay, for every such offence, the sum of one thousand dollars.

Penalty on
masters, &c.
for conceal-
ing, &c.

IV. *Be it enacted*, That if any master, or other person having charge of any vessel, at the time of inquiry by the aforesaid physician or his assistant, shall have on board any person infected as aforesaid, and shall knowingly conceal the same, or shall not make a just and true discovery to the physician, or his deputy, of the sickly and disordered state and condition of all and every person on board, from the time the said vessel departed from the port or place from whence she last sailed,