

of the court, for such term of years as he may be sentenced to the penitentiary; or, if the said negro be a slave, he may be sentenced to be sold out of the State for life, or for such lesser term as he may have to serve, or, in lieu of any other punishment, the court in its discretion may sentence said slave to be whipped, not exceeding forty lashes.

“195. Upon the sale of any free negro, under the preceding section, the time, place and manner of sale to be prescribed by the court, the proceeds of sale shall be first applied, after paying the expenses of the sale, of the prosecution and of the defence, including the compensation to the counsel for the prosecution and defence, to the payment of the damages, to be ascertained by the court, which the party suffered by the offence for which said free negro was convicted; and the residue shall be paid—one-half to the county or city where he committed the offence, the other half to the wife of such free negro, if he has one; and if no wife, to the children of such negro; and if he has neither wife or children, then all the residue shall be paid to the county or city where he committed the offence.

“196. Any justice of the peace of the county wherein the offence is committed, shall have jurisdiction, concurrent with the circuit court, to hear and determine, on warrants to be issued in the usual form, all cases of petty larceny, as defined by section 100 of said article, committed by any free negro or slave, and, on conviction thereof, may sentence said free negro or slave to receive not more than forty lashes, to be inflicted by the constable or other officer having him in custody. But this section shall not extend to the city of Baltimore.

“198. If any slave for life, or for a term of years, be sentenced to death, to confinement in the penitentiary, or to be sold, the court, before which the conviction shall take place, shall immediately proceed to value such slave, as a slave for life or term of years, as the case may be, and enter the same on the proceedings of said court, and such value shall be assessed by the county or city commissioners, and collected with the county or city assessment, and paid to the owner of such slave, his, her or their guardian or attorney.

“Section 2. That this act shall take effect from its passage.”

On motion of Mr. Alexander,

The bill was made the Order of the Day for February 4th.

The bill entitled, An act to amend sections 947 and 949, of article 4, of the Code of Public Local Laws of Baltimore city, relating to licensing of wood hucksters;

Pending its second reading,

Was ordered to be printed.