

1751

MAY.

CHARLES LORD BALTIMORE.

C H A P.  
XIV.

shall and may be lawful for the justices of the county court, and they are hereby obliged, upon the application or complaint of the master or owner of such slave, or to his, her or their order, or on the application or complaint of any other person who shall be any ways damaged or injured by such slave, immediately such slave, to punish by whipping, cropping, or branding in the cheek with the letter R, or otherwise, not extending to life or to render such slave unfit for labour.

Person killing any slave indemnified, &c.

IX. AND BE IT LIKEWISE ENACTED, That if any slave shall happen to be slain for refusing to surrender him or herself, contrary to law, or in unlawful resisting any officer, or other person, who shall apprehend or endeavour to apprehend such slave or slaves; and such officer, or other person, so killing such slave as aforesaid making resistance, shall be, and he is by this act, indemnified from any (a) prosecution for such killing aforesaid; and that in every such case such slave or slaves shall be valued by two reputable persons, not being of kin to the master or owner of such slave; upon oath to be administered unto them, and to be appointed by the then nearest magistrate, well and truly to value what such slave was worth, to the best of their knowledge, without favour or partiality; and that the whole value of such slave or slaves shall be certified by such persons to such magistrate, and that the same shall be paid to the owner or owners of such slave or slaves, or to his, her or their order, by the treasurer of the respective shore of this province on which the same death happened; upon a certificate from the said magistrate of the death and value of such slave or slaves, out of the public stock of this province in the hands of such treasurer, without fee or reward.

(a) By 1753, ch. 26, the persons so killing shall not hereby be exempted from undergoing a legal trial, but if it appear upon evidence, that such killing was done in the lawful execution of this act, then such person shall not only be acquitted, but also the public of this province shall pay all the costs and charges of such prosecution.

Penalty for enticing slaves to run away, &c.

X. AND BE IT FURTHER ENACTED, That if any free person shall entice and persuade any slave within this province to run away, and who shall actually run away from the master, owner or overseer, and be convicted thereof, by confession, or verdict of a jury upon an indictment or information, shall forfeit and pay the full value of such slave to the master or owner of such slave, to be levied by execution on the goods, chattels, lands or tenements of the offender; and in case of inability to pay the same, shall suffer one year's imprisonment without bail or mainprize; and that if any white servant shall entice or persuade any such slave to run away, and who shall actually run away, that the offender shall, after the expiration of his time of servitude, become a servant to the master or owner of such slave for and during the term of four years, or satisfy and pay to the master or owner the value of such slave, to be adjudged, in either case, at the trial, by the court before whom the fact shall be tried, and that the fact may be tried either in the county where the offences shall be committed, or where the offender or offenders shall be taken or apprehended.

Act to be read, &c.

XI. AND, to the end this act may be known by all sort of people. BE IT ENACTED, by the authority aforesaid, That the several sheriffs within this province shall read, or cause this act to be read, at the court-house doors, on the second day of each of the four county courts in every year, during the continuance of this act, on pain of forfeiting five pounds current money for every neglect, to be recovered as aforesaid, with costs of suit, by indictment or information, in the court of the county where such neglect shall happen, and be applied to defray the county charge.

Proviso.

XII. PROVIDED ALWAYS, That where any money shall be paid by virtue of any act or acts of this province for any slave or slaves who shall die in gaol after sentence, or shall be executed, IT IS HEREBY DECLARED AND ENACTED, That such payment shall be made for such slave or slaves who were actual inhabitants within this province at the time such fact committed, and not otherwise.

Duration.

XIII. This act to continue for three years, and unto the end of the next session of assembly which shall happen after the end of the said three years.

Further, continued by 1754, ch. 19, 1757, ch. 27, 1762, ch. 10, 1765, ch. 17, June, 1773, ch. 2, October, 1780, ch. 32, November, 1787, ch. 38, 1795, ch. 62, till 30th January, 1788, revised and continued, (where not altered,) to the end of the session, (and all acts under it confirmed,) 1798, ch. 10, and by 1798, ch. 71, enacted into a permanent law.

C H A P. XV.

Passed 8th of June, 1751.

An ACT to establish the special court records of Anne Arundel county. Lib. BLC. fol. 538.

Preamble.

WHEREAS by one act of assembly of this province, entitled, An act for the relief of Anne Arundel county, and all persons concerned in the records thereof lately burnt, made at a session of assembly begun and held at the town and port of Annapolis the fifteenth day of May, anno domini