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L A W S
OF
M A R Y L A N D,

MADE AND PASSED AT A
SESSION OF ASSEMBLY,

BEGUN AND HELD AT THE CITY OF ANNAPOLIS ON MONDAY THE THIRD OF
NOVEMBER, IN THE YEAR OF OUR LORD ONE THOUSAND
EIGHT HUNDRED AND SIX.

Published by Authority.

ANNAPOLIS:
PRINTED BY FREDERICK GREEN, PRINTER TO THE STATE.

C H A P. LXXXIX. shall be the duty of said justice to issue his warrant, directed to the constable, to apprehend said slave or slaves, and bring him or them before him, or some other justice of the peace for said county, and said offender or offenders shall be whipped, at the discretion of said justice, not exceeding thirty-nine lashes.

On persons preventing dams being destroyed, &c. IV. AND BE IT ENACTED, That if any person or persons shall obstruct or hinder any other person or persons in or from pulling down, prostrating or abating, any such nuisances as aforesaid, shall assault or wound any person for pulling down, prostrating or abating, any such nuisance as aforesaid, after attempting so to do, every such person, for every such offence, besides being subject to the action of the injured for damages, shall forfeit the sum of thirty pounds current money to be recovered, with costs, and applied as aforesaid.

Defendants, in certain cases, to give bail, &c. V. AND BE IT ENACTED, That in any action or suit for recovery of any of the said penalties and also in any action for an assault, beating or wounding, for pulling down, prostrating or abating such nuisance as aforesaid, or for attempting so to do, on affidavit, or other proof satisfactory to the Frederick county court, where such suit or action is depending, or their being cause for bringing the same, the defendant shall and may be compelled to give good and sufficient special bail.

Act deemed public, &c. VI. AND BE IT ENACTED, That this act shall be deemed a public act, and the same shall and may be given in evidence in justification of or for any matter or thing done by virtue thereof, on the general issue, without specially pleading the same.

Not to prevent the erecting bridges, &c. VII. AND BE IT ENACTED, That this act, or any thing herein contained, shall not hinder, or be construed to hinder or prevent, the erecting, or causing to be erected, any bridge or bridges over said river Monocacy, with convenient arches for admitting of boats, and other vessels of burthen passing through the same, with the least obstruction that may be.

Act to be given in charge, &c. VIII. AND BE IT ENACTED, That it shall be the duty of Frederick county court, at every term to give this act in charge to the grand jury.

C H A P. LXXX.

Passed 4th of Jan. 1807. An ACT annulling the marriage of Sally Lutig, of the city of Baltimore.

Marriage declared void, &c. BE IT ENACTED, by the General Assembly of Maryland, That the marriage of the said Sally Lutig and John C. Lutig her husband, heretofore solemnized, be and the same is hereby declared absolutely, and to all purposes, null and void; and the said Sally Lutig and John C. Lutig her husband, are hereby declared to be divorced, *a vinculo matrimonii*; provided always, that nothing in this act contained be construed to illegitimate the children of the said Sally Lutig and John C. Lutig, any law to the contrary notwithstanding.

C H A P. LXXXI.

Passed 4th of Jan. 1807. An ACT to restrain the evil practices arising from negroes keeping dogs, and to prohibit them from carrying guns or offensive weapons.

Negroes not to keep dogs, &c. BE IT ENACTED, by the General Assembly of Maryland, That after the first day of May next, it shall not be lawful for any negro or mulatto within this state to keep any dog, bitch or gun, except he be a free negro or mulatto, and in that case he may be permitted to keep one dog, provided such free negro or mulatto shall obtain a licence from a justice of the peace for that purpose, and that the said licence shall be in force for one year, and no longer, and if any dog or bitch owned by any negro, not possessed of such licence, shall be seen going at large, it shall and may be lawful for any person to kill the same, and in case of any suit instituted therefor, the person or persons killing the said dog or bitch may plead the general issue, and give this act in evidence.

Nor to carry guns, &c. II. AND BE IT ENACTED, That after the said first day of May next, it shall not be lawful for any free negro or mulatto to go at large with any gun, or other offensive weapon; and in case any free negro or mulatto shall be seen going at large carrying a gun, or other offensive weapon, he shall be liable to be carried before any magistrate, in virtue of a warrant to be issued by any justice of the peace, directed to a constable of the county, and on conviction of having violated the provisions of this section of the act, such offender shall thereupon forfeit, to the use of the informant, such gun or other offensive weapon, which shall thus have been found in his or her possession, and be subject

ROBERT WRIGHT, Esquire, GOVERNOR. NOVEMBER. 1806.

to the payment of the costs which shall have accrued in such prosecution; provided, that nothing in this act shall extend to prevent any free negro or mulatto from carrying a gun, or other offensive weapon, who shall, at the time of his carrying the same, have a certificate from a justice of the peace, that he is an orderly and peaceable person, which certificate shall be in force for one year from the date thereof, and no longer.

C H A P.
LXXXI.

III. AND BE IT ENACTED, That it shall be the duty of the constable of every hundred to repair once a month, and oftener if information be given him of tumultuous meetings of mulattoes, negroes or slaves, to all suspected places within his hundred, and if he shall find any mulatto or negro, not a slave, at any such meeting, it shall be the duty of the constable forthwith to carry such mulatto or negro, so offending, before some magistrate of the county, who shall thereupon commit such person to the common gaol, unless he or she shall enter into a recognizance, with such security as said justice shall require, for his or her good behaviour, and also to appear before the next county court, to answer for such offence in such manner as is prescribed by law for the trial of crimes and misdemeanors within this state, and if such person shall be found guilty of violating any of the provisions of this act, he shall be fined, or imprisoned, for such offence, at the discretion of the court; and if such constable shall find at any such meeting as aforesaid, any slave besides those belonging to the owner of such place, not having permission in writing from his owner or overseer, it shall be lawful for the constable, and he is hereby authorised and required, to whip every such slave, at his discretion, not exceeding thirty-nine lashes.

Constable to
visit suspected
places, &c.

IV. AND BE IT ENACTED, That before any constable shall be entitled to receive the allowance granted by the fourth section of the act, entitled, An act to prevent the tumultuous meetings and other irregularities of negroes and other slaves, he shall produce a certificate from at least two respectable citizens of his hundred, of his industry and fidelity in the discharge of his duty under this act and the act above recited.

He must pro-
duce a certifi-
cate, &c.

V. AND, for a further encouragement to take up runaways, BE IT ENACTED, That in lieu of two hundred pounds of tobacco, allowed by the act, entitled, An act relating to servants and slaves, any person seizing and taking up such runaways, shall have and receive six dollars.

Allowance for
taking up run-
aways, &c.

C H A P. LXXXII.

An ACT authorising a lottery in the city of Baltimore to raise a sum of money for the purposes therein mentioned.

Passed 4th of
Jan. 1807.

WHEREAS a petition has been presented to this general assembly from sundry inhabitants of the city of Baltimore, praying that a law may pass to enable them to raise, by way of lottery, the sum of fifteen thousand dollars, for the use of the Trinity church, of the episcopal order and denomination, now building in said city, and to enable them to purchase a burying-ground, and to defray other incidental expences, which they apprehend their funds may be insufficient to discharge; and the prayer of the said petition appearing reasonable; therefore,

Preamble.

II. BE IT ENACTED, by the General Assembly of Maryland, That William Slater, Edward Ireland, Stephen Calder, William Price, Joseph Allender, William M'Mechen and Alexander M'Kim, be and they are hereby appointed commissioners for the purpose of framing a scheme, to raise, by lottery, the sum of fifteen thousand dollars, to be applied by the said commissioners in the completion of the Trinity church, of the episcopal order and denomination, now building in that city by voluntary contributions; and for the purchase of a burial-ground, and such other general purposes as may appear to the said commissioners necessary and useful in the fulfilment of the trust hereby reposed in them.

Commissioners
appointed, &c.

III. AND BE IT ENACTED, That the said commissioners are hereby authorised to appoint managers for conducting and drawing the said lottery, and that previous to their acting as such, they shall give bond to the mayor and city council of the city of Baltimore, with good and sufficient security, for the faithful performance of their trust, which bond shall be lodged in the mayor's office, in such sum as to the mayor and city council may be adequate for that purpose.

Who may ap-
point mana-
gers, &c.

IV. AND BE IT ENACTED, That the aforesaid commissioners, or any of them, or any person authorised by them, shall have full power and authority to sell and dispose of tickets in the said lottery, either in the city of Baltimore or any other part of this state, without paying any tax to the corporation of the city of Baltimore therefor, any law to the contrary notwithstanding.

And dispose of
tickets, &c.