

SEC. 3. *And be it enacted*, That the justices of any magistrates' courts in the several counties of this State, or of any orphans' court in the said counties in which there is no such magistrates' courts, upon information given to them that any free negro or negroes, mulatto or mulattoes, male or female, are residing within the jurisdiction or county in which said magistrates' court or orphans' court are situated, without visible means of support, shall have power to direct the sheriff or any constable of said county, to bring before the said magistrates' court or orphans' court, as the case may be, such free negro or negroes, mulatto or mulattoes, and to summon all necessary witnesses to enquire into the condition and habits of such negro or negroes, mulatto or mulattoes; and if upon examination, the justices of the said magistrates' court or orphans' court, as the case may be, shall be of the opinion that the said free negro or negroes, mulatto or mulattoes, have not the necessary means of support, and are not of good and industrious habits, then they shall issue an order in writing, directed to the sheriff or any constable of the county, requiring the said sheriff or constable to proceed forthwith to sell the said negro or negroes, mulatto or mulattoes, at public sale, to the highest bidder, to serve in the capacity of a slave for and during the year in which said sale shall be made, first giving ten days public notice of such sale; *provided*, that nothing in this section contained shall go into effect until the first day of January next; *and provided also*, that every purchaser of any free negro or negroes, mulatto or mulattoes, by virtue of this act, shall, in addition to the price paid by him for such free negro or negroes, mulatto or mulattoes, find him, her or them during the term for which the said purchaser shall purchase him, her or them, with good and sufficient food, lodging and clothing.

SEC. 4. *And be it enacted*, That, if within ten days from the end of the term for which any such negro or negroes, mulatto or mulattoes shall have been sold by virtue of the provisions of the third section of this act, he or she shall not leave the State, or hire him or herself to some respectable white person, to serve as a slave for the following year, then he or she shall be again sold and disposed of, as required and directed by the said third section, and in like manner in each and every successive year thereafter.

CHAP. 38.

Magistrates' ct. to have arrested negroes who have no means of support

Witnesses to be summoned

To sell at public sale

Provisoos.

In case of neglect to hire, &c