

# ARCHIVES OF MARYLAND

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PROCEEDINGS AND ACTS

OF THE

## GENERAL ASSEMBLY OF MARYLAND

*JANUARY 1637/8—SEPTEMBER 1664*

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*Editor*



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Liber A  
p. 268

Acts of Assembly  
of the 21<sup>th</sup> of Aprill  
1649.

Confirmed by the  
Lord Proprietary by  
an instrument under  
his hand & seale  
26<sup>th</sup> of August 1650  
Phillip Calvert.

Acts and Orders of Assembly assented  
vnto

Enacted and made at a Genall Ses-  
sions of the said Assembly held at St  
Maries on the one and twentieth day of  
Aprill Anno Dm̄ 1649 as followeth viz.:

An Act concerning Religion

fforasmuch as in a well governed and  
Xpian Cōmon Weath matters concern-  
ing Religion and the honor of God ought in the first place to  
bee taken, into serious consideracōn and endeavoured to bee  
settled. Be it therefore ordered and enacted by the Right  
Ho<sup>ble</sup> Cecilius Lord Baron of Baltemore absolute Lord and  
Proprietary of this Province with the advise and consent of this  
p. 269 Generall Assembly. That whatsoever p̄son or p̄sons within  
this Province and the Islands thereunto belonging shall from  
henceforth blaspheme God, that is Curse him, or deny our  
Saviour Jesus Christ to bee the sonne of God, or shall deny  
the holy Trinity the ffather sonne and holy Ghost, or the God-  
head of any of the said Three p̄sons of the Trinity or the  
Vnity of the Godhead, or shall use or utter any reproachfull  
Speeches, words or language concerning the said Holy Trinity,  
or any of the said three p̄sons thereof, shalbe punished with  
death and confiscatōn or forfeiture of all his or her lands and  
goods to the Lord Proprietary and his heires, And bee it also  
Enacted by the Authority and with the advise and assent afore-  
said. That whatsoever p̄son or p̄sons shall from henceforth  
use or utter any reproachfull words or Speeches concerning  
the blessed Virgin Mary the Mother of our Saviour or the  
holy Apostles or Evangelists or any of them shall in such case  
for the first offence forfeit to the said Lord Proprietary and his  
heirs Lords and Proprietaries of this Province the sūme of ffive  
pound Sterling or the value thereof to be Levyed on the goods  
and chattells of every such p̄son soe offending, but in case  
such Offender or Offenders, shall not then have goods and  
chattells sufficient for the satisfyeing of such forfeiture, or that  
the same bee not otherwise speedily satisfied that then such  
Offender or Offenders shalbe publiquely whipt and bee  
ymprisoned during the pleasure of the Lord Proprietary or the  
Leive<sup>t</sup> or cheife Governor of this Province for the time being.  
And that every such Offender or Offenders for every second  
offence shall forfeit tenne pound sterling or the value thereof to  
bee levyed as aforesaid, or in case such offender or Offenders shall  
not then haue goods and chattells within this Province sufficient  
for that purpose then to bee publiquely and severely whipt and



imprisoned as before is expressed. And that every pson or psons before mentioned offending herein the third time, shall for such third Offence forfeit all his lands and Goods and bee for ever banished and expelled out of this Province. And be it also further Enacted by the same authority advise and assent that whatsoever pson or psons shall from henceforth vppon any occasion of Offence or otherwise in a reproachful manner or Way declare call or denominate any pson or psons whatsoever inhabiting residing traffiqueing trading or comerceing within this Province or within any the Ports, Harbors, Creeks or Havens to the same belonging an heritick, Scismatick, Idolator, puritan, Independant, Prespiterian popish prest, Jesuite, Jesuited papist, Lutheran, Calvenist, Anabaptist, Brownist, Antinomian, Barrowist, Roundhead, Sepatist, or any other name or terme in a reproachfull manner relating to matter of Religion shall for every such Offence forfeit and loose the some or tenne shillings sterling or the value thereof to bee levyed on the goods and chattells of every such Offender and Offenders, the one half thereof to be forfeited and paid unto the person and persons of whom such reproachfull words are or shalbe spoken or vttered, and the other half thereof to the Lord Proprietary and his heires Lords and Proprietaries of this Province, But if such pson or psons who shall at any time vtter or speake any such reproachfull words or Language shall not have Goods or Chattells sufficient and overt within this Province to bee taken to satisfie the penalty aforesaid or that the same bee not otherwise speedily satisfyed, that then the pson or persons soe offending shalbe publickly whipt, and shall suffer imprisonm<sup>t</sup> without baile or maineprise vntill hee shee or they respectively shall satisfy the party soe offended or greived by such reproachfull Language by asking him or her respectively forgiveness publicly for such his Offence before the Magistrate or cheife Officer or Officers of the Towne or place where such Offence shalbe given. And be it further likewise Enacted by the Authority and consent aforesaid That every person and persons within this Province that shall at any time hereafter pphane the Sabbath or Lords day called Sunday by frequent swearing, drunkennes or by any uncivill or disorderly recreacōn, or by working on that day when absolute necessity doth not require it shall for every such first offence forfeit 2<sup>s</sup> 6<sup>d</sup> sterling or the value thereof, and for the second offence 5<sup>s</sup> sterling or the value thereof, and for the third offence and soe for every time he shall offend in like manner afterwards 10<sup>s</sup> sterling or the value thereof. And in case such offender and offenders shall not have sufficient goods or chattells within this Province to satisfy any of the said Penalties respectively hereby imposed for prophaning the Sabbath or Lords day called Sunday as

Liber A aforesaid, That in Every such case the p̄tie soe offending shall for the first and second offence in that kinde be imprisoned till hee or shee shall publickly in open Court before the cheife Commander Judge or Magistrate, of that County Towne or precinct where such offence shalbe committed acknowledg the Scandall and offence he hath in that respect given against God and the good and civill Governem<sup>t</sup> of this Province And for the third offence and for every time after shall also bee publickly whipt. And whereas the inforceing of the conscience in matters of Religion hath frequently fallen out to be of dangerous Consequence in those commonwealthes where it hath been practised, And for the more quiett and peaceable governem<sup>t</sup> of this Province, and the better to p̄serve mutuall Love and amity amongst the Inhabitants thereof. Be it Therefore also by the Lo: Proprietary with the advise and consent of this Assembly Ordeyned & enacted (except as in this p̄sent Act is before Declared and sett forth) that noe person or p̄sons whatsoever within this Province, or the Islands, Ports, Harbors, Creekes, or havens thereunto belonging professing to beleive in Jesus Christ, shall from henceforth bee any waies troubled, Molested or discountenanced for or in respect of his or her religion nor in the free exercise thereof within this Province or the Islands thereunto belonging nor any way compelled to the beleife or exercise of any other Religion against his or her consent, soe as they be not unfaithfull to the Lord Proprietary, or molest or conspire against the civill Governem<sup>t</sup> established or to bee established in this Province vnder him or his heires. And that all & every p̄son and p̄sons that shall presume Contrary to this Act and the true intent and meaning thereof directly or indirectly either in person or estate willfully to wrong disturbe trouble or molest any person whatsoever within this Province professing to beleive in Jesus Christ for or in respect of his or her religion or the free exercise thereof within this Province other than is provided for in this Act that such p̄son or p̄sons soe offending, shalbe compelled to pay trebble damages to the party soe wronged or molested, and for every such offence shall also forfeit 20<sup>s</sup> sterling in money or the value thereof, half thereof for the vse of the Lo: Proprietary, and his heires Lords and Proprietaries of this Province, and the other half for the vse of the party soe wronged or molested as aforesaid, Or if the p̄tie soe offending as aforesaid shall refuse or bee vnable to recompense the party soe wronged, or to satisfy such ffyne or forfeiture, then such Offender shalbe severely punished by publick whipping & imprisonm<sup>t</sup> during the pleasure of the Lord Proprietary, or his Leivetenā<sup>t</sup> or cheife Governor of this Province for the tyme being without baile or maineprise And bee it further alsoe Enacted by the



authority and consent aforesaid That the Sheriff or other Liber A  
Officer or Officers from time to time to bee appointed &  
authorized for that purpose, of the County Towne or precinct  
where every particular offence in this present Act conteyned shall  
happen at any time to bee committed and wherevpon there is  
hereby a forfeiture ffine or penalty imposed shall from time to  
time distraine and seise the goods and estate of every such  
person soe offending as aforesaid against this present Act or any  
part thereof, and sell the same or any part thereof for the full  
satisfaccōn of such forfeiture, ffine, or penalty as aforesaid,  
Restoring vnto the partie soe offending the Remainder or over-  
plus of the said goods or estate after such satisfaccōn soe made  
as aforesaid

The ffreemen haue assented. Tho: Hatton

Enacted by the Governor Willm Stone