

MARYLAND GAZETTE.

THURSDAY, FEBRUARY 2, 1786.

BY THE HOUSE OF DELEGATES, January 24, 1786.

On motion, the question was put, That the bill for the suppression of vice and immorality, be referred to the next session of assembly? Determined in the negative.

On the second reading the bill for the suppression of vice and immorality, the question was put, That the words "unless the informer or prosecutor be a constable, in which case he shall have the whole penalty," be struck out? Determined in the negative.

The bill being read throughout, the question was put, That the said bill do pass? The yeas and nays being called for by Mr. Faw appeared as follow:

AFFIRMATIVE. Messieurs T. Bond, B. Worthington, Carroll, Fraizer, Roberts, Goldsborough, Bracco, John Dashiell, Adams, Baker, Ogivee, R. Bowie, Chase, Joseph Dashiell, Purnell, Faw, Driver, Stull, Cellars.

NEGATIVE. Messieurs Lethbrury, Graves, N. Worthington, Grahame, Taney, Jones, Dent, Turner, Ridgely of Wm. Stevenson, Gale, Miller, Ramley, W. Bowie, Digges, F. Bowie, John Seney, Sewell, Joshua Seney, Chaille, Beatty, Bayly, Carey, Norris, Love, J. Bond, M'Mechen, Oneale.

So it was determined in the negative. On motion, ORDERED, That the said bill, with the yeas and nays, be published in the Maryland Gazette and Baltimore Journal.

On motion, the question was put, That the act, entitled, An act to punish blasphemers, swearers, drunkards, and sabbath-breakers; and for repealing the laws heretofore made for the punishing such offenders, passed at a session of assembly, begun and held at the city of Annapolis, on the 23d day of September, Anno Domini 1723, be published in the Maryland Gazette and Baltimore Journal, with the aforesaid bill? The yeas and nays being called for by Mr. Joshua Seney appeared as follow:

AFFIRMATIVE. Messieurs Lethbrury, Graves, B. Worthington, N. Worthington, Grahame, Taney, Turner, Stevenson, Gale, John Dashiell, Ogivee, Miller, Ramley, W. Bowie, Digges, F. Bowie, John Seney, Sewell, Joshua Seney, Chaille, Joseph Dashiell, Faw, Beatty, Bayly, Carey, Love, J. Bond, Wkeeler, Driver, M'Mechen, Cellars, Oneale.

NEGATIVE. Messieurs Fraizer, Jones, Dent, Ridgely of Wm. Goldsborough, Bracco, Adams, R. Bowie, Chase, Purnell, Norris, Stull.

So it was resolved in the affirmative. A bill, entitled, An ACT for the suppression of vice and immorality.

Be it enacted, by the General Assembly of Maryland, That if any free white person, after the commencement of this act, shall do any bodily labour, or, being a tradesman, shall work in his trade or business on the Lord's day, commonly called Sunday, or any part thereof (that is, between twelve o'clock on Saturday night, and the same hour on Sunday night, works of necessity and charity only excepted), such person shall forfeit twenty shillings current money for every offence.

And be it enacted, That if any owner of any slave, servant, or apprentice, shall command or direct any such slave, servant, or apprentice, to do any manner of bodily work or labour (works of necessity and charity only excepted) on the Lord's day, he shall forfeit twenty shillings current money for every offence; and if the owner of any slave, servant, or apprentice, shall willingly permit or suffer any slave, servant, or apprentice, to do any manner of bodily work or labour (except from necessity) on the Lord's day, or to profane the said day by swearing or drunkenness, or by cock-fighting or other pastimes or recreations, or by fishing, fowling, or hunting, such owner shall forfeit ten shillings current money for every offence. Provided, That the dressing of meat in families, or the dressing or selling of meat in ordinaries or taverns, shall not be included in the above prohibitions.

And be it enacted, That if any free person shall play at cards, dice, or any other kind of game, on the Lord's day, such person shall forfeit twenty shillings for the first offence, forty shillings for the second offence, four pounds for the third offence, and five pounds for every offence afterwards; and if any ordinary keeper shall suffer or permit any play in his house at cards, dice, or any other kind of game, on the Lord's day, he shall forfeit five pounds for every offence, that is, five pounds for every person he shall suffer or permit to play in his house on the Lord's day.

And be it enacted, That if any ordinary keeper shall allow or suffer any persons (strangers and travellers excepted) to meet together, in company or companies of three or more persons, in his house, on the Lord's day, and shall sell them any kind of spirituous liquor, such ordinary keeper shall forfeit five pounds for every offence; and if any inhabitant of any town shall remain in any ordinary or tavern after ten of the clock of the night on the Lord's day, he shall forfeit twenty shillings current money, unless he can prove some extraordinary occasion for his being there at such time; and if any ordinary keeper shall permit or suffer any inhabitant of any town to remain in his house after the said hour of the night on the said day, except on some extraordinary occasion, he shall forfeit twenty shillings current money for every offence.

And be it enacted, That if any slave shall be found in any town gaming, or in liquor, on the Lord's day, he shall be whipped, by the order of any justice of the peace, not exceeding twenty lashes for any one offence; and any servant, found so gaming or in liquor, may be whipped by order as aforesaid, not exceeding ten lashes for any one offence; and any apprentice, guilty of any such offence, may also be whipped, by order as aforesaid, not exceeding ten lashes; unless such apprentice, or his master, will pay ten shillings current money.

And be it enacted, That if any licensed retailer of spirituous liquors shall sell any kind of spirituous liquor on the Lord's day, he shall forfeit five pounds for every offence.

And be it enacted, That if any free person, above sixteen years of age, shall unlawfully swear by the holy name of God, such person shall forfeit ten shillings current money for every offence; and if any such free person shall profanely swear by the name of our blessed Saviour, such person shall forfeit ten shillings for every offence; and if any such free person shall swear by any other name or thing, such person shall forfeit five shillings for every such offence; and if any such free person shall unfully and wickedly curse or damn himself, or any other person, he shall forfeit two shillings and six-pence current money for every offence; and if any slave or servant shall be guilty of any of the said offences, he may be whipped, by the order of any justice of the peace, not exceeding ten lashes for any one offence.

And be it enacted, That if any free person shall be found drunk, or intoxicated with spirituous liquor, so as to be in any manner deprived of his reason and understanding, appearing either in his speech, gesture, or behaviour, on the Lord's day, he shall forfeit twenty shillings for every offence, and on any other day ten shillings for every offence; and if any slave or servant shall be found, on the Lord's day, so drunk or intoxicated with liquor, he may be whipped, by the order of any justice of the peace, not exceeding ten lashes for any one offence.

And be it enacted, That no arrest shall be made nor process served upon the Lord's day, except for treason, felony, or breach of the peace; and any person executing any civil process, on the said day, shall be fined by the court to which such process shall be returned, and the process so served shall be void, and the person executing such process on the said day shall be liable for damages to the party grieved.

And be it enacted, That all deeds, and every contract, promise, or agreement in writing, or by parole (last wills and testaments excepted) made on the Lord's day, shall be void in law and equity.

And be it enacted, That no waggon, cart, or other carriage or burthen (except only stage waggons, or other carriages for the conveyance of passengers and their baggage) shall travel on the Lord's day, under the penalty of five pounds current money for every offence.

And be it enacted, That if any butcher, by himself, or any other person for him by his privity or consent, shall kill or sell, or offer to sell, any victual on the Lord's day (except only in the months of June, July, and August, and before ten of the clock in the morning of the said day) such butcher shall forfeit twenty shillings current money for every offence.

And be it enacted, That no kind of goods, wares, or merchandise, (victuals and liquors in ordinaries only excepted) shall be bought or sold on the Lord's day, under the penalty of twenty shillings current money for every offence.

Provided, That the selling of milk, vegetables, and fish, before ten of the clock in the morning, or after four o'clock in the afternoon, be not included in this prohibition.

And be it enacted, That any penalty imposed by this act may be recovered before any justice of the peace, and any penalty of or above twenty shillings; by presentment in any county court, or the mayor's court of the city of Annapolis; and one half shall be given to the informer or prosecutor, and the other half to the use of the county or city, unless the informer or prosecutor be a constable, in which case he shall have the whole penalty. Provided, That no prosecution or recovery shall be had before a justice of the peace after ten days from the commission of the offence; or before any county court or mayor's court after four months from the commission of the offence, and it is declared to be the particular duty of all judges, justices, sheriffs, deputy-sheriffs, and constables, to notice any breaches of this act, and give information to some justice or the grand jury of their county; or mayor's court; and the justices of the several county courts shall, on the second day of their respective county courts, after proclamation for silence by the cryer of their court, and a call and attendance of the grand and petit jury, cause the clerk of their court to read this act aloud; and the said justices are hereby required, immediately thereafter, to give this act in charge to the grand jury, and to require their diligent inquiry into any breaches thereof; and it is hereby recommended to all the ministers of the gospel of every denomination within this state, to read this act four times at least in every year in their respective places of public worship.

This act to commence on the first day of May next, and shall continue in force for three years, and until the end of the next session of assembly thereafter.

An ACT to punish blasphemers, swearers, drunkards, and sabbath-breakers; and for repealing the laws heretofore made for the punishing such offenders.

BE it enacted, by the right honourable the lord proprietor, by and with the advice and consent of his lordship's governor, and the upper and lower houses of assembly, and the authority of the same, That if any person shall hereafter, within this province, wittingly, maliciously, and advisedly, by writing or speaking, blaspheme or curse GOD, or deny our saviour Jesus CHRIST to be the son of GOD, or shall deny the Holy Trinity, the Father, Son, and Holy Ghost, or the Godhead of any of the Three Persons, or the Unity of the Godhead; or shall utter any profane words concerning the Holy Trinity; or any the persons thereof, and shall be thereunto convicted by verdict, or confession, shall, for the first offence be bored through the tongue, and five hundred pounds sterling to the lord proprietor, to be applied to the use of the county where the offence shall be committed, to be levied on the offender's body, goods and chattels, lands or tenements; and in case the said fine cannot be levied, the offender to suffer six months imprisonment without bail or mainprize; and that for the second offence, the offender being thereof convicted as aforesaid, shall be stigmatized by burning in the forehead with the letter B, and fined forty pounds sterling to the lord proprietor, to be applied and levied as aforesaid; and in case the same cannot be levied, the offender shall suffer twelve months imprisonment without bail or mainprize; and that for the third offence, the offender being convicted as aforesaid, shall suffer death without the benefit of the clergy.

And be it enacted, That every person that shall hereafter profanely swear or curse, in the presence and hearing of any magistrate, minister, the commissary-general, secretary, sheriff, coroner, provincial or county clerk, vestryman, churchwarden, or constable, or be convicted thereof, before any magistrate, by the oath of one lawful witness, or confession of the party, shall, for the first oath or curse, be fined two shillings and six-pence current money; and for every oath or curse after the first, five shillings like money, to be applied to the uses aforesaid.

And be it enacted, That every person that shall be drunk, in the presence of any of the persons aforesaid, or shall be thereof convicted in manner aforesaid, before any magistrate, shall be fined for every offence five shillings current money, to be applied as aforesaid.

And be it enacted, That where the said fines shall not be immediately paid on conviction, that it shall not be lawful for the magistrates, or other officers aforesaid, and they are hereby required, to order the offender (not being a freeholder, or other reputable person) to be whipped, or put in the stocks; and for that purpose to appoint any person (not having a lawful exemption) as a constable, on

ember 1, 1785. James Ringgold for requested to call and payment or bond, by as the business from er the firm of James pes compliance will which will prevent

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GOLDER, clk.

S REWARD.

ember 8, 1785.

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GEORGE MANN.

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M E

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Current money.

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ary 3, 1786.

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EPH BREWER.

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RICHARD GRASON.

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Charles-Street.