

calamities of war; but such lenity and forbearance, instead of meeting with a proper return, have been falsely imputed to pusillanimity and a dread of retaliation, and seem rather to have encouraged the enemy to acts of violence and cruelty: And whereas the trustees of this state have lately, on the advice of the officers of the crown of Great-Britain, refused to pay the money belonging to this state in the bank of England: And whereas, in defiance of public faith, and in breach of the capitulation of Charles-town, the British officer commanding in that department, under frivolous pretences, has imprisoned the persons of several respectable citizens of that state, and confiscated their property; and from the general conduct of the enemy it may justly be inferred, that their hatred and cruelty is not to be softened or restrained by any respect to the usages of war, the obligations of compacts, or the rights of humanity: And whereas, by the declaration of independence, all political connexion between Great-Britain and these states was dissolved, and the subjects of Great-Britain declared enemies in war, and in peace friends; and by the law of nations the subjects of Great-Britain, in their separate and collective capacity, are answerable, not only for all expences incurred by this state in consequence of the war, but for any injury or damage sustained by any of the subjects of this state since the commencement thereof, and their property, wherever found, is subject to seizure and confiscation: Wherefore,

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II. **Be it enacted, by the general assembly of Maryland, and it is hereby enacted and declared,** That all property within this state, debts only excepted, belonging to British subjects, shall be seized, and is hereby confiscated to the use of this state.

British property to be seized, &c.

III. **And,** to ascertain what persons shall be deemed and adjudged British subjects within the intention of this act, **Be it enacted,** That every person born within the dominions or allegiance of the crown of Great-Britain, and every person made a subject of that nation agreeable to its laws, shall be, and he is hereby declared and adjudged to be, a British subject within this act, unless he hath, by some subsequent act, divested himself of that relation, by adhering to us and our cause, as by entering into the service or employment of the United States, or any of them, joining in the formation of our government, taking the oath of allegiance to it, withdrawing himself from the British dominions for his attachment to the United States, or by doing some similar open act, or by giving his implied assent, by remaining within this or some other of the United States, and receiving the protection and benefit of their government and laws.

What persons are British subjects, &c.

IV. **And,** whereas divers persons, formerly inhabitants of this state, have left the same, some to avoid giving their assistance to this state, and others on their private business, and have not again returned; and all such persons would be adjudged British subjects under the preceding part of this act: **It is hereby provided and enacted,** That if any such person, who since the thirtieth day of April, seventeen hundred and seventy-five, left this state, and went to Great-Britain, or any part of the British dominions, and hath not returned to this state, and if any person born within this state (who before the said thirtieth day of April was in Great-Britain, or any part of the British dominions, and hath since resided there) unless he hath or shall avow himself a subject of Great-Britain, or freely join the British army or navy, or willingly accept protection from any commissioner, or officer of Great-Britain, or hold, accept or receive, any office of trust or profit, or any pension, gratuity or reward, from the crown, parliament or ministry, of Great-Britain, or by any other similar voluntary overt act elect himself to be a subject of his Britannic majesty, (if he shall return into this state before the first day of March, seventeen hundred and eighty-two, and within one month thereafter take and subscribe the oath or affirmation of fidelity and support to this state, prescribed by the act to punish certain crimes and misdemeanors, and to prevent the growth of toryism) shall not be considered a British subject within the intent of this act; and in case any person who hath left this state with leave of any committee of observation, or the council of safety, and gone to Great-Britain, or any of the dominions of the crown thereof, shall be disabled by age or infirmity from

Proviso.