

At a SESSION of ASSEMBLY begun and held at the City of ANNAPOLIS, in the county of Anne-Arundel, for the province of Maryland, on the 3d day of October, and ended the 2d day of November, in the 14th year of the dominion of the right honourable CHARLES, absolute Lord and Proprietary of the provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. *annoque domini* 1728, were enacted the following laws, viz.

BENEDICT LEONARD CALVERT, ESQUIRE, GOVERNOR.

C H A P. I.

An ACT for ascertaining the form of the oath of judge or justice. Lib. L. No. 5. fol. 189. Dissent. Passed 28 of Nov. 1728.

C H A P. II.

An ACT for improving the staple of tobacco. Lib. L. No. 5. fol. 191. Dissent.

C H A P. III.

An ACT to repeal an act, entitled, \* An act prohibiting the importation of bread, beer, flour, malt, wheat, or other Indian or English grain or meal, horses, mares, colts or fillies, from Pennsylvania, and the territories thereto belonging. Lib. L. No. 5. fol. 202. Passed 14th of October, 1728. \* 1715, ch. 18.

C H A P. IV.

A Supplementary act to the act, entitled, \* An act relating to servants and slaves. Lib. L. No. 5. fol. 203. Passed 19th of October, 1728. \* 1715, ch. 44.

An additional supplementary act passed 1748, ch. 19.

**W**HEREAS by the act of assembly relating to servants and slaves, there is no provision made for the punishment of free mulatto women, having bastard children by negroes and other slaves, nor is there any provision made in the said act for the punishment of free negro women, having bastard children by white men; and forasmuch as such copulations are as unnatural and inordinate as between white women and negro men, or other slaves, Preamble.

II. BE IT ENACTED, by the right honourable the Lord Proprietary, 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 from and after the end of this present session of assembly, that all such free mulatto women, having bastard children, either within or after the time of their service, (and their issue,) shall be subject to the same penalties that white women and their issue are, for having mulatto bastards, by the act, entitled, An act relating to servants and slaves. Mulatto women subject to penalties, &c.

III. AND BE IT FURTHER ENACTED, by the authority aforesaid, by and with the advice and consent aforesaid, That from and after the end of this present session of assembly, that all free negro women, having bastard children by white men, (and their issue,) shall be subject to the same penalties that white women are, by the act aforesaid, for having bastards by negro men. Free negro women subject to the same.

Those parts of the act of 1715, ch. 44, and of this act, which impose a servitude to the age of thirty-one years on the issue of certain inordinate copulations, mentioned in the 26th, 27th and 28th sections of the act of 1715, and in the 2d and 3d sections of this act, were repealed by 1790, ch. 9, (which is since repealed,) and by 1796, ch. 67, with a saving of the rights of any persons to such issue before acquired.

IV. AND BE IT FURTHER ENACTED, by the authority aforesaid, by and with the advice and consent aforesaid, That the same method of proceeding to judgment, upon any matter within this act, be the same as is prescribed by the act, entitled, An act relating to servants and slaves. Proceedings to be the same.

C H A P. V.

A Supplementary act to the act, entitled, \* An act for the establishment of religious worship in this province, according to the church of England, and for the maintenance of ministers. Lib. L. No. 5. fol. 205. (2) Dissent. Passed 30th of October, 1728. \* 1702, ch. 1.

(a) Proclamation issued for publication of the dissent to this act the 7th May, 1720. Recorded Lib. P. L. No. 6. fol. 381.

C H A P.