

C H A P. CXVII.

authority, in case the same shall not be paid to him upon demand, in his own name to institute an action for the recovery thereof against the said sheriff, his executors or administrators.

Passed 21st of Jan. 1798.

C H A P. CXVIII.

An ACT to alter such parts of the declaration of rights, the constitution and form of government, as prevent persons conscientiously scrupulous of taking an oath from being witnesses in all cases. Lib. JG. No. 2. fol. 770.

Preamble.

WHEREAS persons conscientiously scrupulous of taking an oath labour under many and great inconveniencies, owing to their not being admitted to make their solemn affirmation as witnesses in all cases instead of an oath; therefore,

Persons allowed to affirm, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That the people called Quakers; those called Nicolites or New Quakers, those called Tunkers, and those called Menonists, holding it unlawful to take an oath on any occasion, shall be allowed to make their solemn affirmation as witnesses, in the manner that quakers have been heretofore allowed to affirm, which affirmation shall be of the same avail as an oath, to all intents and purposes whatever.

Court to be first satisfied, &c.

III. AND BE IT ENACTED, That before any of the persons aforesaid shall be admitted as a witness in any court of justice in this state, the court shall be satisfied, by such testimony as they may require, that such person is one of those who profess to be conscientiously scrupulous of taking an oath.

If confirmed, to be a part of the constitution, &c.

IV. AND BE IT ENACTED, That if this act shall be confirmed by the general assembly, after the next election of delegates, in the first session after such new election, as the constitution and form of government directs, that in such case this act, and the alterations and amendment of the constitution and form of government therein contained, shall be taken and considered, and shall constitute and be valid; as part of the said constitution and form of government, to all intents and purposes, any thing in the said declaration of rights, constitution and form of government contained, to the contrary notwithstanding.

Clauses, &c. repealed.

V. AND BE IT ENACTED, That the several clauses and sections of the declaration of rights, constitution and form of government, contrary to the provisions of this act, so far as they respect either of the sects or societies aforesaid, shall be and are hereby declared to be repealed and annulled, on the confirmation hereof.

This act was confirmed by 1798, ch. 83.

C H A P. CXIX.

An ACT to relinquish the right of this state to the lands therein referred to. Lib. JG. No. 2. fol. 771.

Preamble.

WHEREAS many of the citizens of this state have, before the fourth day of July, seventeen hundred and seventy-six, acquired rights in certain real estates, in consequence of judgments of condemnation rendered on attachments issued from the several courts against persons nonresidents of the then province, (now state,) and doubts exist as to the validity of such rights, and fears are entertained that under the act of confiscation some interest or estate in lands so circumstanced may be vested in this state, to the prejudice of the possessors; therefore,

Right released, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That all right, title, interest, estate and claim, which the state of Maryland hath, or may have, in virtue of the act of confiscation, in and to any lands now held by any person or persons under any judgment of condemnation obtained on attachment prosecuted in any court of record before the fourth day of July, one thousand seven hundred and seventy-six, shall be and the same is hereby released for ever to the respective persons holding and claiming said lands, or any of them, or any part of them, under and in virtue of the title derived through said judgments, or any of them; provided nevertheless, that nothing in this act shall be construed to interfere with or affect the rights of any citizen or citizens of this state acquired before the passage of this act to any land so circumstanced; provided always, that nothing herein contained shall in any manner affect or defeat the right, if any, of the informer of any of the said lands as liable to confiscation, in case he shall think proper to prosecute the same, under any of the existing laws of this state, within two years next after the passing of this law.

C H A P.