

### Maryland Act Concerning Religion (1649)

Forasmuch as in a well governed and Christian Commonwealth matters concerning Religion and the honor of God ought in the first place to be taken into serious consideration and endeavored to be settled. Be it therefore ordered and enacted by the Right Noble Cecil Lord Baron of Baltimore absolute Lord and Proprietary of this Province with the advice and consent of this General Assembly. That whatsoever person or persons within this Province and the Islands thereunto belonging shall from henceforth blaspheme God, that is Curse him, or deny our Savior Jesus Christ to bee the son of God, or shall deny the holy Trinity the father son and holy Ghost, or the Godhead of any of the said Three persons of the Trinity or the Unity of the Godhead, or shall use or utter any reproachful Speeches, words or language concerning the said Holy Trinity, or any of the said three persons thereof, shall be punished with death and confiscation for forfeiture of all his or her lands and goods to the Lord Proprietary and his heirs, And bee it also Enacted by the Authority and with the advise and assent aforesaid. That whatsoever person or persons shall from henceforth use or utter any reproachful words or Speeches concerning the blessed Virgin Mary the Mother of our Savior 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 sum of five pound Sterling or the value thereof to be Levied on the goods and chattels of every such person so offending, but in case such Offender or Offenders, shall not then have goods and chattels sufficient for the satisfying of such forfeiture, or that the same bee not otherwise speedily satisfied that then such Offender or Offenders shall be publically whipped and bee imprisoned during the pleasure of the Lord Proprietary or the Lieut or chief Governor of this Province for the time being.

And that every such Offender or Offenders for every second offence shall forfeit ten pound sterling or the value thereof to bee Levied as aforesaid, or in case such Offender or Offenders shall not then have goods and chattels within this Province sufficient for that purpose then to bee publically and severely whipped and imprisoned as before is expressed. And that every person or

persons 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 person or persons shall from henceforth upon any occasion of Offence or otherwise in a reproachful manner or Way declare call or denominate any person or persons whatsoever inhabiting residing trafficking trading or commercing within this Province or within any the Ports, Harbors, Creeks or Havens to the same belonging an heretic, Schismatic, Idolater, puritan, Independent, Presbyterian popish priest, Jesuit, Jesuited papist, Lutheran, Calvinist, Anabaptist, Brownist, Antinomian, Barrowist, Roundhead, Separatist, or any other name or term in a reproachful manner relating to matter of Religion shall for every such Offence forfeit and loose the some or ten shillings sterling or the value thereof to bee Levied on the goods and chattels of every such Offender and Offenders, the one half thereof to be forfeited and paid unto the person and persons of whom such reproachful words are or shall be spoken or uttered, and the other half thereof to the Lord Proprietary and his heirs Lords and Proprietaries of this Province, But if such person or persons who shall at any time utter or speake any such reproachful words or Language shall not have Goods or Chattels sufficient and overt within this Province to bee taken to satisfy the penalty aforesaid or that the same bee not otherwise speedily satisfied, that then the person or persons so offending shall be publically whipped, and shall suffer imprisonment. Without bails or mainprise until he, she or they respectively shall satisfy the party so offended or grieved by such reproachful Language by asking him or her respectively forgiveness publically for such his Offence before the Magistrate or chief Officer or Officers of the Town or place where such Offence shall be 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 profane the Sabbath or Lords day called Sunday by frequent swearing, drunkenness or by any uncivil or disorderly recreation, or by working on that day when absolute necessity doth not require it shall for every such first offence forfeit 2s 6d sterling or the value thereof, and for the second offence 5s sterling or the value thereof, and for the third offence and so for every time he shall offend in like manner afterwards 10s sterling or

the value thereof.

And in case such offender and offenders shall not have sufficient goods or Chattels within this Province to satisfy any of the said Penalties respectively hereby imposed for profaning the Sabbath or Lords day called Sunday as aforesaid, That in Every such case the party so offending shall for the first and second offence in that kind be imprisoned till he or she shall publically in open Court before the chief Commander Judge or Magistrate, of that County Town or precinct where such offence shall be committed acknowledge the Scandal and offence he hath in that respect given against God and the good and civil Government of this Province And for the third offence and for every time after shall also bee publically whipped. And whereas the enforcing of the conscience in matters of Religion hath frequently fallen out to be of dangerous Consequence in those commonwealths where it hath been practiced, And for the more quiet and peaceable government of this Province, and the better to preserve mutual Love and amity amongst the Inhabitants thereof. Be it Therefore also by the Lo: Proprietary with the advise and consent of this Assembly Ordained & enacted (except as in this present Act is before Declared and sett forth) that no person or persons whatsoever within this Province, or the Islands, Ports, Harbors, Creeks, or havens hereunto belonging professing to believe in Jesus Christ, shall from henceforth bee any ways 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 hereunto be-longing nor any way compelled to the belief or exercise of any other Religion against his or her consent, so as they be not unfaithful to the Lord Proprietary, or molest or conspire against the civil Government. Established or to bee established in this Province under him or his heirs.

And that all & every person and persons 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 disturb trouble or molest any person whatsoever within this Province professing to believe 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 person or persons so offending, shall be compelled to pay treble damages to the party so wronged or molested, and for every such offence shall also forfeit 20s sterling in money or the value

thereof, half thereof for the use of the Lo: Proprietary, and his heirs Lords and Proprietaries of this Province, and the other half for the use of the party so wronged or molested as aforesaid, Or if the party so offending as aforesaid shall refuse or bee unable to recompense the party so wronged, or to satisfy such fine or forfeiture, then such Offender shall be severely punished by public whipping & imprisonment. During the pleasure of the Lord Proprietary, or his Lieutenant or chief Governor of this Province for the time being without bails or mainprise. And be it further also Enacted by the authority and consent aforesaid That the Sheriff or other Officer or Officers from time to time to bee appointed & authorized for that purpose, of the County Town or precinct where every particular offence in this present Act contained shall happen at any time to bee committed and whereupon there is hereby a forfeiture fine or penalty imposed shall from time to time distrain and seize the goods and estate of every such person so offending as aforesaid against this present Act or any pt thereof, and sell the same or any part thereof for the full satisfaction of such forfeiture, fine, or penalty as afore said, Restoring unto the party so offending the Remainder or over plus of the said goods or estate after such satisfaction so made as aforesaid.

**Zdroj:** *The Founders' Constitution, vol. 5, s. 49–50.*