[XLVth YEAR.] THE (No. 2260)

MARYLAND GAZETTE.

THURSDAY, MAY 6, 1790.

STATE OF MARYLAND.

AN ACT FOR NATURALIZATION.

Passed July Session, 1779.

WHEREAS the increase of people is a means to advance the wealth and strength of this state: And whereas many foreigners, from the lenity of our government, the security afforded by our constitution and laws, to civil and religious liberty, the mildness of our climate, the fertility of our soil, and the advantages of our commerce, may be induced to come and settle in this state, if they were made partakers of the advantages and privileges which the natural born subjects of this state do enjoy:

Be it therefore enacted, by the General Assembly of Maryland, That every person who shall hereafter come into this state, from any nation, kingdom, or state, and shall, before the governor and the council, or before the general-court, or any one of the judges thereof, or before any county court of this state, repeat and subscribe a declaration of his belief in the Christian religion, and take, repeat, and subscribe, the following oath, or affirmation, if a quaker, menonist, or dunker, to wit: "I, A. B. do swear, or affirm, that I will hereafter become a subject to the state of Maryland, and will be faithful, and bear true allegiance to the said state, and that I do not hold myself bound, to yield any allegiance, or obedience, to any king, or prince, or any other state or government;" (which said oath or affirmation, and subscription aforesaid, respectively, the governor and the council, the general court, or any one judge thereof, or any county court, are hereby empowered to administer and take) shall thereupon, and thereafter, be deemed, adjudged and taken, to be a natural born subject of this state; and shall be, henceforth, entitled to all the immunities, rights and privileges, of a natural born subject of this state; provided, that no person who shall become a natural born subject of this state, by virtue of this act, shall be appointed to any civil office, or eligible as governor, member of the council, or general assembly, or as a delegate to congress, unless such person shall have resided within this state seven years, previous to such election or appointment, and shall have the property and estate, required by the constitution and form of government, to execute any of the said offices respectively.

And be it enacted, That the clerk of the council shall, before the session of every general court, return a list of the names of the persons who shall take and subscribe the said oath or affirmation, and make the said declaration, respectively, before the governor and the council, and the time when taken and made, to the clerk of the general court, to be entered by him among the minutes of the said court: And any judge of the general court, administering and taking the said oath or affirmation, shall return, to the next general court, a list of the names of the persons who shall take and subscribe the said oath or affirmation, and make the said declaration, respectively, before him, and the time when taken, and made, to the clerk of the general court, to be entered by him among the minutes of the said court.

And be it enacted, That a certificate, by the clerk of the council, or by any judge of the general court, or by the clerk of the general or any county court, of any person's having taken and subscribed the said oath or affirmation, and having made and subscribed the said declaration; or a certificate, by the clerk of the general court, that it appears by the return of any judge of the said court, entered among the minutes of any person's having taken and subscribed the said oath or affirmation, and having made and subscribed the said declaration, shall be deemed and taken to be a sufficient testimony and proof thereof, and of his being a natural born subject, and as such, shall be allowed in every court of this state.

And, To encourage such foreigners to come and settle in this state: *Be it enacted*, That no tax shall be imposed on any such foreigner, coming into this state, and taking and subscribing the declaration and oath or affirmation aforesaid, or his property, for the term of two years after his arrival in this state.

And, To encourage such foreigners, tradesmen, artisans, and manufacturers, to come and settle in this state: *Be it enacted*, That no tax shall be imposed on such foreigner, being a tradesman, artificer or manufacturer, coming into this state, and taking and subscribing the declaration and oath or affirmation aforesaid, or his property, for the term of four years after his arrival in this state.

ACT for the relief of certain foreigners who have settled within this state, and for other purposes, supplemental to the act for Naturalization; passed the 22d of December, 1789.

WHEREAS the act for naturalization, passed at July session, in the year seventeen hundred and seventy-nine, declares, that every person, who shall hereafter come into this state, from any nation, kingdom or state, and shall repeat and subscribe a declaration of his belief in the Christian religion, and take, repeat, and subscribe, the oath or affirmation in the said act prescribed, before the governor and the council, or before the general court, or any one of the judges thereof, or before any county court, shall thereupon, and thereafter, be deemed, adjudged, and taken, to be a natural born subject of this state; and shall be, thenceforth, entitled to all the immunities, rights, and privileges, of a natural born subject of this state; subject, nevertheless, to the restrictions provided by the said act: And whereas, since the passage of the said act, divers foreigners have come into this state, and have settled, and become inhabitants thereof, and have been induced, from the various advantages afforded by our government, climate, soil, and commerce, to employ their money in the purchase of property, both real and personal, and to improve the same, thereby acquiring a just and equitable title to such property; but, through ignorance of the provisions contained in the beforementioned act, or apprehending that taking and subscribing the oaths of allegiance, in the usual manner, would entitle them to the advantages of property, the said foreigners have not taken and subscribed the oath, prescribed by the act for naturalization, under the particular circumstances required by the same; whereby their titles to such real property as they have acquired, since their settlement in this state, may be drawn in question, to their great prejudice and injury; and whereas the said foreigners have always manifested a firm attachment to our government and laws, and it is conceived that, by securing their interest in our soil, their affections to this country will be more fully confirmed, and that justice and policy require, that the hardships and inconveniences, under which they respectively labour, should be remedied; therefore,

Be it enacted, by the General Assembly of Maryland, That all and every the said foreigners who, since their settlement in this state, have purchased and acquired, by any lawful and fair means, any portion of property, real, personal, or mixed, and have since possessed and enjoyed the same, and have still a just and equitable title thereto, whether such title be derived from grant, gift, purchase, or devise, shall, by virtue of this act, hold, possess, and enjoy, such property, real, personal, and mixed, as fully and amply, and, to all intents and purposes, as rightfully, as the said foreigners would have been entitled to hold, possess, and enjoy, the same, if they had respectively naturalized themselves, according to the express provisions contained in the said act for naturalization.

And be it further enacted, That in case any real property, purchased or acquired by foreigners, since the passage of the aforesaid act, hath been escheated, it is hereby declared, that all the right and title of this state to the said property so escheated, and to any property so escheatable, shall be and the same are hereby relinquished, and vested for ever hereafter in the said foreigners, their heirs, and assigns;—saving, nevertheless, to all persons whatsoever, who may have heretofore acquired titles to any such escheatable property under the laws of this state, their several and respective rights: And all and every person and persons, who may have purchased, or otherwise acquired any real property, from or under the said foreigners or any of them, shall be, and they are hereby declared to be, entitled to all and every advantage, with respect to such property, as if the same had been purchased, or acquired, from or under any foreigners who have naturalized themselves, according to the provisions of the said original act.

Provided nevertheless, That the said foreigners, respectively, before they shall receive the benefit of this act, shall naturalize themselves in the mode prescribed by the original act, on or before the first day of June next ensuing; any law to the contrary thereof notwithstanding: *And provided also*, That no applications, within the period limited by this act, to prejudice the rights of the said respective foreigners, or others, shall be admitted or received.

And, in order to carry the good intentions, as well of this, as of the said original act, into complete execution, *Be it further enacted, by the authority aforesaid*, That the governor and council shall, and they are hereby requested to cause the said respective acts to be printed and published in the several news-papers within this state, for the space of six weeks after the end of this session of assembly, in the English, French, and German languages; and shall, also, cause the said original act to be published, in like manner, for the space of two weeks, in the month of May, in every year hereafter.

ETAT DE MARYLAND.

ARRET DE NATURALIZATION.

Passé dans la Séance de Novembre, 1779.

D'AUTANT que l'augmentation du peuple étend naturellement les richesses et la force de cet Etat; et d'autant que la modération de notre Gouvernement, la sécurité donnée par notre Constitution et les Lois pour la liberté civile et religieuse, la douceur de notre Climat, la fertilité de notre Sol, et les avantages de notre Commerce, peuvent éxciter beaucoup d'Etrangers à venir s'établir dans cet Etat, si on les fesoit participants des avantages et des priviléges dont nos sujets naturels jouissent:

C'est pourquoi l'Assemblée-Générale de Maryland a passée un arret, Que toute personne qui viendra dorénavant dans cet Etat, de quelque nation, royaume, ou état, que ce soit, et qui répétera et signera, pardevant le Gouverneur et son Conseil, ou pardevant la Cour-Générale, ou pardevant quelqu'un de ses Juges, ou pardevant quelque Cour de Comté de cet Etat, une déclaration de sa croyance dans la religion chrétienne, et prendra, répétera, et signera le serment suivant (ou l'affirmation, s'il est quaqre, menonist, ou dunker) *savoir*:—"Je, A. B. jure, ou affirme, que je serai "dorénavant fidel sujet de l'Etat de Maryland, et que "je ne me trois point obligé d'être soumis à l'obéissance "d'aucun Roi ou Prince, ou d'aucun autre Etat ou Gou-"vernement,"—(lequel serment, ou affirmation, et signature susdit, sera administré et pris, respectivement, par le Gouverneur et le Conseil, ou par la Cour-Générale, ou par quelqu'un de ses Juges, ou par quelque Cour de Comté, lesquels sont munis de ce pouvoir) sera, dorénavant, estimé et consideré comme sujet natif de cet Etat, et sera alors en droit de jouir de la liberté et des priviléges du dit Etat; pourvu, que personne de ceux qui en seront devenu sujets, en vertu de cet Arrêt, ne soit élu pour servir dans aucun emploi civil, comme Gouverneur, Membre du Conseil ou de l'Assemblée-Générale, ou Délegue du Congrés, qu'il n'ait fait sa résidence, dans cet Etat, sept ans préalables à cette élection ou appointement, et qu'il n'ait les biens et fonds réquiré par la Constitution et la Forme du Gouvernement, pour exécuter aucune des dites charges.

Et qu'il soit ordonné, Que le Greffier du Conseil portera, à la Séance de chaque Cour-Générale, une liste des noms des personnes qui auront pris et signés le dit serment ou affirmation, et fait la dite déclaration, respectivement, pardevant le Gouverneur, at pardevant le Conseil, avec le tems qu'ils l'auront pris et fait, pour être donné au Greffier de la Cour-Générale, et pour être mis dans les mémoires de la dite Cour: Et tout Juge de la Cour-Générale, qui aura administré et pris le dit serment, ou affirmation, portera à la premiere Cour-Générale, une liste des noms des personnes qui auront pris et signé le dit serment, ou affirmation, et fait la dite déclaration, réspectivement, devant lui, avec le tems qu'il l'auront pris et fait, au Greffier de la Cour-Générale, pour être enrégistrée dans les mémoires de la dite Cour.

Et qu'il soit ordonné, Que le Greffier du Conseil, ou quelque Juge de la Cour-Générale, ou le Greffier de la dite Cour, ou celui de quelque Cour de Comté, donnera à toute personne, qui aura pris et signé le dit serment ou affirmation, et qui aura fait et signé la dite déclaration, un certificat, qu'il paroît, par la liste de quelque Juge de la dite Cour, enrégistrée dans les mémoires; que toute personne qui aura pris et signé le dit serment, ou affirmation, et aura fait et signé la dite déclaration, sera estimé dans toutes les Cours de cet Etat, sujet naturel.

Et, pour encourager les Etrangers à venir s'établir dans cet Etat, *qu'il soit ordonné*, Que ceux qui y viendront, et qui prendront et signeront la déclaration, et le serment, ou affirmation susdits, seront exempts, avec leurs biens, de toute Impôt, pendant deux ans aprés leur arrivée.

Et, afin d'encourager les Gens de Metiers, ou Artisans, et les Manufacturiers étrangers, à venir s'etablir dans cet Etat, *qu'il soit ordonné*, Qu'il ne sera imposé aucun Impôt sur eux, ni sur leur biens, pendant le terme de quatre ans, à commencer du jour de leur arrivée dans cet Etat; pourvu, qu'ils prennent et signent la déclaration et le serment, ou l'affirmation, susdit.

ARRET *pour subvenir au* Soulagement de *certains* ETRANGERS *qui se sont etablis dans cet Etat, et pour d'autres Desseins; supplies à l'*ARRET *de* NATURALIZATION, *passé le 22d* Décembre, 1789.

D'AUTANT que l'Arrêt pour la Naturalization, passé dans la Séance de Juillet, l'an mil sept cens soixants et dix-neuf, déclare, que toute personne qui viendra dorénavant dans cet Etat, de que que nation, royaume, ou état que ce soit, et répétera et signera une déclaration de sa croyance dans la Religion Chrétienne, et prendera, répétera, et signera le serment, ou l'affirmation, prescrite et ordonné par le dit Arrêt, pardevant le Gouverneur et son Conseil, ou pardevant la Cour-Générale, ou pardevant quelqu'un de ses Juges, ou pardevant quelque Cour de Comté, sera, alors et dorénavant, regardé et consideré comme sujet naturel de cet Etat; et sera, à l'avenir, en droit de jouir de toute la liberté et des priviléges d'un sujet naturel de cet Etat; néanmoins, assujettis aux réstrictions réferées par le dit Arrêt: Et d'autant que, depuis que cet Arrêt est passée, divers Etrangers sont venus dans cet Etat, et s'y sont établis, et en sont devenus habitants, et ont été portés, par les différents avantages accordés par notre Gouvernement, par le Climat, par le Sol, par le Commerce, et par la facilité d'employer leur argent d'achter des biens meubles et immeubles, et de les faire valoir, en acquérant des titres justes et équitables pour les dits biens; mais, par l'ignorance des choses contenues dans l'Arrêt cidevant mentionnée, ou, en concevant qu'en prenant et signant le serment d'obéissance, dans la forme ordinaire, ils seroient en droit de jouir des avantages que jouissent les sujets naturels, les dits Etrangers n'ont pas pris et signé le serment prescrit par l'Arrêt pour la Naturalization, sous les circonstances particuliéres qui en étoit requises; c'est pourquoi les titres acquis pour les achats des biens à fonds qu'ils ont acheté, depuis leur établissement dans cet Etat, pourroient être examines, ce qui leur seroit très préjudiciable et injurieux: Et d'autant que les dits Etrangers ont sou-