

THE DECLARATION OF RIGHTS.

count of his religious persuasion or profession, or for his religious practice, unless under colour of religion any man shall disturb the good order, peace or safety of the state, or shall infringe the laws of morality, or injure others in their natural civil or religious rights; nor ought any person to be compelled to frequent or maintain, or contribute, unless on contract to maintain, any particular place of worship, or any particular ministry; yet the legislature may, in their discretion, lay a general and equal tax for the support of the christian religion, leaving to each individual the power of appointing the payment over of the money collected from him, to the support of any particular place of worship or minister, or for the benefit of the poor of his own denomination, or the poor in general of any particular county; but the churches, chapels, glebes, and all other property now belonging to the church of England, ought to remain to the church of England for ever. And all acts of assembly lately passed for collecting monies for building or repairing particular churches or chapels of ease, shall continue in force and be executed, unless the legislature shall by act supersede or repeal the same; but no county court shall assess any quantity of tobacco or sum of money hereafter, on the application of any vestrymen or churchwardens; and every incumbent of the church of England, who hath remained in his parish and performed his duty, shall be entitled to receive the provision and support established by the act, entitled, An act for the support of the clergy of the church of England in this province, till the November court of this present year to be held for the county in which his parish shall lie, or partly lie, or for such time as he hath remained in his parish and performed his duty.

34. That every gift, sale, or devise of lands, to any minister, public teacher, or preacher of the gospel, as such, or to any religious sect, order or denomination, or to or for the support, use or benefit of, or in trust for, any minister, public teacher, or preacher of the gospel, as such, or any religious sect, order or denomination; and every gift or sale of goods or chattels, to go in succession, or to take place after the death of the seller or donor, to or for such support, use or benefit; and also every devise of goods or chattels, to, or to or for the support, use or benefit of, any minister, public teacher, or preacher of the gospel, as such, or any religious sect, order or denomination, without the leave of the legislature, shall be void; except always any sale, gift, lease or devise, of any quantity of land not exceeding two acres, for a church, meeting, or other house of worship, and for a burying-ground, which shall be improved, enjoyed or used, only for such purpose, or such sale, gift, lease or devise, shall be void.

35. That no other test or qualification ought to be required on admission to any office of trust or profit, than such oath of support and fidelity to this state, and such oath of office, as shall be directed by this convention, or the legislature of this state, and a declaration of a belief in the christian religion.

36. That the manner of administering an oath to any person ought to be such as those of the religious persuasion, profession or denomination of which such person is one, generally esteem the most effectual confirmation, by the attestation of the Divine Being. And that the people called Quakers, those called Tunkers, and those called Menonists, holding it unlawful to take an oath on any occasion, ought to be allowed to make their solemn affirmation in the manner that quakers have been heretofore allowed to affirm, and to be of the same avail as an oath, in all such cases as the affirmation of quakers hath been allowed and accepted within this state instead of an oath. And further, on such affirmation warrants to search for stolen goods, or the apprehension or commitment of offenders, ought to be granted; or security for the peace awarded; and quakers, tunkers or menonists, ought also, on their solemn affirmation as aforesaid, to be admitted as witnesses in all criminal cases not capital. (a)

37. That the city of Annapolis ought to have all its rights, privileges and benefits, agreeable to its charter, and the acts of assembly confirming and regulating the same; subject nevertheless to such alterations as may be made by this convention, or any future legislature.

38. That the liberty of the press ought to be inviolably preserved.

39. That monopolies are odious, contrary to the spirit of a free government, and the principles of commerce, and ought not to be suffered.

40. That no title of nobility or hereditary honours ought to be granted in this state.

41. That the subsisting resolves of this and the several conventions held for this colony, ought to be in force as laws, unless altered by this convention, or the legislature of this state.

42. That this declaration of rights, or the form of government to be established by this convention, or any part of either of them, ought not to be altered, changed or abolished, by the legislature of this state, but in such manner as this convention shall prescribe and direct.

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(a) See 1797, ch. 118, (confirmed by 1798, ch. 83,) by which it is declared, 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 take 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.