38. A party shall not impeach the credibility of his own witness, who is not also a party, although he may contradict him, by the testimony of other witnesses, or by documentary evidence.

39. The court or jury may, for their own satisfaction, inquire into the credibility of the witnesses on either side.

CHAPTER XIII.

OF OATHS AND AFFIRMATIONS.

1. Parties in actions, where an oath is required of them, and witnesses, shall be sworn in the manner hereinafter directed, unless where the court shall be satisfied that the person is conscientiously scrupulous of taking an oath on any occasion; in which case his solemn promise or affirmation shall be substituted for an oath.

2. Jurymen, triors, appraisers, commissioners, interpreters who are civilized men, and all other persons who are presumed to be selected on account, in part, of respectability of character, shall only be required to give a solemn promise or affirmation that they will perform their respective duties.

3. When it is necessary to employ an uncivilized man, to interpret a language spoken by uncivilized men, he must be sworn. All natives of Africa, who are not Christians, Jews, or Mahometans, are to be considered uncivilized.

4. The manner of administering an oath to all persons shall 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 all persons holding it unlawful to take an oath on any occasion, shall be allowed to make their solemn promise or affirmation, to be of the same avail as an oath, in all cases whatever, the court being satisfied of the reality of their scruples.

5. Oaths shall be in the following form, unless where a different one is required by the principles of the last section: 'You do solemnly promise and swear, in the presence of the omniscient and heart-searching God, that [*here insert the substance of the promise*] as you will answer the same to the Great Judge of quick and dead;' to which the person sworn shall assent, lifting up his hand.

6. The form of a solemn promise and affirmation shall be—'You do solemnly and sincerely promise and affirm, that' [*here insert the substance of the promise.*]

7. The oath or affirmation of a witness shall be—'that the evidence, which he shall give to the court *and jury*, in the matter now depending before them, shall be the truth, the whole truth, and nothing but the truth.' Where the evidence is to the court alone, the words 'and jury' shall be omitted.

8. Where the witness is a party, or only examined to ascertain his competency, the oath or affirmation shall be—'that he shall true answer make to all such questions as shall be asked him by the court or its authority.'

9. The promise of a juryman impannelled to try a question of fact, other than the amount of a debt, or of damages, shall be—'that he will well and truly try the *issues* joined between A. B., plaintiff, and C. D., defendant, and a true verdict give, according to the evidence.' If there is but one *issue*, that word shall be in the singular.

10. The promise of a juryman impannelled to ascertain the amount of a debt, after an imperfect judgment, shall be—'that he will well and truly try and assess the debt, due by the defendant to the plaintiff.'

11. The promise of a juryman impannelled to ascertain the amount of debt or damages, after an imperfect judgment, shall be—'that he will well and truly try and assess the *debt due by the defendant to the plaintiff*, in the action in which A. B. is plaintiff, and C. D. defendant;' except, in an action other than one of debt, the words '*damages sustained by the plaintiff*,' shall be substituted for the words '*debt due from the defendant to the plaintiff*.'

12. The promise of a juryman impannelled to ascertain the value of goods in replevin shall be—'that he will well and truly try and ascertain the value of the goods in question in an action of replevin, wherein A. B. is plaintiff and C. D. defendant.'

13. The whole jury may be affirmed at once.

14. The court may combine or otherwise accommodate the preceding forms of the promise of a juryman, to suit the peculiar circumstances of particular cases.

15. The promise of a trior shall be—'that he will well and truly try whether A. B. stands indifferent between the parties in the cause now depending before the court.'

16. The promise of an appraiser shall be—'that he will well and truly value and appraise all articles, which he shall be required to value and appraise, during the present service, according to the best of his skill and knowledge.'

Maryland Historical Society

The Maryland State Colonization Society Papers

XIII. Colonization Pamphlets

1. The Declaration of Rights,
The Constitution of the
State of Md. in Liberia
(rough draft, engrossed copy, printed copy)