

entitled to all the Liberties, Priviledges and Immunities of natural born subjects.

Certificates of oaths to be returned.

And be it further enacted by the Authority aforesaid, that the Justices before whom the persons aforesaid may respectively take the Oaths aforesaid, shall return a Certificate of the same into the Secretary's Office, to be entered on the Records of the Commonwealth.

*February 14, 1789.**

1788. — Chapter 64.

[December Session, ch. 20.]

AN ACT TO IMPOWER THE INHABITANTS OF THE TOWN OF PORTLAND BELONGING TO THE SEVERAL RELIGIOUS SOCIETIES WITHIN THE SAME, TO RAISE MONEY FOR DEFREYING MINISTERIAL AND OTHER CHARGES.

Preamble.

Whereas application hath been made to this Court, to enable the inhabitants of Portland belonging to the several religious societies within the same, to raise money by levying taxes on the Pews in their respective Meeting houses and on the polls and estates of those who attend public worship with them, to defrey the ministerial, and other incidental charges, and that the inhabitants of said town, may be exempted from paying towards the support of the ministry, other than taxes on Pews at any other place than where they attend.

Proprietors of meeting houses, impowered to assess taxes on pews.

Be it therefore enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same, that the proprietors of the several meeting Houses in the town of *Portland*, be, and they are hereby impowered to raise by an assessment or tax on the Pews of the respective Meeting houses aforementioned, such sums or sums as shall be agreed upon by the Proprietors, or the major part of such of them as shall be assembled at any legal meeting called for that purpose, for defreying the ministerial and other incidental charges which meeting shall be warned agreeably to the provisions of an act, intituled, “An Act for the better managing lands, wharves & other real estate lying in common.”

Impowered to cause the pews to be valued.

And be it further enacted, that the proprietors of the respective Meeting houses be, and hereby are impowered to cause the Pews in each of the aforesaid Meeting houses

* Approved February 16, 1789.

to be valued, according to the conveniency of said Pews and situation of the same, from time to time, as shall be found necessary, & to determine how much each pew or part of a Pew shall pay, towards defreying the charges aforesaid, and the time and manner in which the same shall be paid, and if need be, to appoint a Collector to collect the sum or sums so agreed to be raised; and if any Proprietor, or owner of a pew shall neglect or refuse to pay the sum or sums assessed thereon, after having two months notice by the Collector or Proprietors of said Meeting houses, they shall be and hereby are impowered by themselves or their Committee to sell and dispose of the Pew or Pews of such delinquents, for the sums due as assessed thereon, according to the valuation thereof as aforesaid, and with the monies raised by such sale, to pay the assessment or tax on said pews remaining unpaid, together with the charges arising on the sale; the overplus if any there be to be returned to the owner thereof.

In case of neglect, or refusal to pay the sums assessed, the pews may be disposed of.

Provided nevertheless, that when the owner of any Pew shall make a tender of the same to the proprietors or to their Committee at the valuation aforesaid and they shall refuse or neglect to take the same, no sum shall be deducted out of the sale of said Pew or Pews, but such only as shall have become due before the making such tender.

Proviso.

And be it further enacted, that the inhabitants of each respective Parish in said town, be and hereby are impowered to tax or assess the several persons occupying pews or parts of pews, and all others usually attending the public worship with them, for their polls & estates lying in the town aforesaid, according to their several abilities and circumstances, in order to raise monies sufficient, together with what may be assessed on the Pews, to defrey their ministerial and other incidental charges and the assessment or tax shall be made and collected by such rules as parish taxes are made and collected by; and henceforth, the inhabitants of *Portland* aforesaid shall be, and are hereby intirely exempted, & free from paying taxes either for their polls or estates lying within the bounds of the said Town, other than pew taxes, towards defreying the ministerial and other charges of any Place or society than where they usually attend, which shall be determined by their giving in their names to the Town Clerk, in the month of *February* or *March* annually.

Inhabitants impowered to assess persons occupying pews, or parts of pews, according to their abilities.

Proviso.

Provided always, that they pay all the taxes already legally assessed on them. & *provided further* that where any inhabitant of the said town shall neglect or refuse to attend public worship with any religious society in the said town, he shall be considered as belonging to the oldest religious Congregational Society in that town, and his poll and estate shall be taxable towards maintaining religious worship in such society.

Nothing in this act shall affect certain clauses of a former act.

And be it further enacted that nothing in this act shall extend to or be construed to extend to, or in any manner affect any of the clauses and provisions which concern or relate to the support, maintainance or salary of the Reverend *Thomas Smith* contained in an Act, intituled “an Act for incorporating a number of the inhabitants of the town of *Portland* in the County of *Cumberland* into a distinct and seperate religious society” but the same clauses and provisions shall remain in full force, any thing in this act supposed to be to the contrary notwithstanding.

*February 14, 1789.**

1788. — Chapter 65.

[Printed with Perpetual Laws.]

AN ACT DECLARING THE CAUSES FOR WHICH CATTLE MAY BE IMPOUNDED, THE MANNER HOW THEY SHALL BE PROCEEDED WITH IN SUCH CASES, & FOR PREVENTING RESCUE AND POUND BREACH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, that there shall be kept and maintained in each town at their proper cost and charge, a sufficient Pound or Pounds in such place or places therein as the town shall direct, who shall also appoint a suitable person to keep each pound, wherein Swine, Sheep, Horses and neat Cattle may be restrained and kept for the causes herein after mentioned; and any town that shall neglect to provide or maintain such Pound for the space of six months, shall forfeit and pay to the use of the County *ten pounds*, to be recovered by presentment of the Grand Jury.

Each town to keep and maintain a sufficient pound.

Penalty for neglect.

Field drivers shall be annually chosen.

And be it further enacted, that there shall be chosen at the annual meeting for the choice of Town Officers in each town, two or more persons for field drivers, who