

of such person declaring himself and attending as aforesaid (after the same hath been ascertained by the assessors of such town, parish or precinct), unto the minister of the church of England as aforesaid; which minister shall have full power to receive, and if need be, to recover the same in the law, in order to his support in the place assigned to him.

Minister of the Church of England empowered to recover the tax of his hearers.

Parishes to make good their minister's tax in case of deficiency.

Always provided,

[SECT. 2.] That if any deficiency shall happen by the said payment [of] [to] the minister of the church of England as aforesaid, in the salary which any of the towns, parishes or precincts, respectively, within this province, have covenanted and agreed to pay the ministers of the churches therein by law established, that then and in every such case, the said towns, parishes and precincts, respectively, shall, within the space of two months next after such deficiency happening, make good the same; and the parishioners of the church of England, professing and attending as aforesaid, are hereby excused from paying any taxes for the building meeting-houses for the use of the present established churches within this government; any law, usage or custom to the contrary notwithstanding.

Provided,

This act not to extend to Boston, &c.

[SECT. 3.] That nothing contained in this act shall extend to the town of Boston or any other town, parish or precinct within this province where the minister or ministers are or shall be supported by a free contribution or subscription.

Limitation.

[SECT. 4.] This act to continue in force for the space of five years from the publication thereof, and no longer. [*Passed December 19; published December 30.*]

CHAPTER 8.

AN ACT FOR THE BETTER ENABLING TOWNS AND PRECINCTS DULY AND SEASONABLY TO PAY THEIR MINISTERS, SCHOOL-MASTERS AND OTHER NECESSARY CHARGES ARISING THEREIN.

Preamble.
1692-3, chap. 28,
§ 4.

WHEREAS, at a session of the great or general court or assembly begun and held at Boston the eighth day of June, 1692, in the fourth year of the reign of King William and Queen Mary, and continued by adjournment to the thirteenth day of October following, the freeholders and inhabitants of the several and respective towns within this province, in any town meeting orderly warned, or the major part so assembled, are impowred from time to time to make and agree upon rules and orders for the directing, managing and ordering the prudential affairs of their towns, as they shall judge most conducive to the peace, welfare and good order thereof; and the selectmen are also impowred to assess the inhabitants, and others residents in the towns and the precincts thereof, in just and equal proportions, to county charges and to all town charges, for such sum and sums as shall be ordered, granted and agreed upon from time to time by the inhabitants in any town meeting regularly assembled, or the major part of those present, for the maintenance and support of the ministry, schools and poor, and for defreying other necessary charges within the said towns; *and whereas*, at a session of the great and general court or assembly begun and held at Boston the thirty-first day of May, 1699, and continued, by several prorogations, until Wednesday the thirteenth of March following, in the twelfth year of the reign of the late King William the Third, an act directing how rates or taxes to be granted by the general assem-

1699-1700, chap.
26, § 9.

bly shall be assessed and collected, was made and passed; in which act or law is the following paragraph: "that all county and town rates and assessments shall be apportioned by the selectmen or assessors of the several towns and precincts within this province, upon the inhabitants and estates within the same, according to the rule that shall from time to time be prescribed and set by act of the general assembly for the apportioning and assessing of the publick taxes that shall be granted unto his majesty in that same year; and such selectmen or assessors shall be under the like obligation of the oath administred to them for making of the publick tax, equally and impartially to proportion such county or town assessment by the same rules;" which last above-recited paragraph in a great measure tends to weaken and break in upon the powers, rights, liberties and privileges given the several towns by the aforesaid act, pass'd the fourth year of the reign of King William and Queen Mary, which not only prevents his majestie's good subjects, the freeholders and other the inhabitants of the several towns within this province, in promoting and effecting many good and wholesom rules for the benefit and weal of the said towns, but hath occasioned several hardships and inconveniences by being abridged seasonably to supply the town treasurer or receivers with money to pay and discharge their just debts to those employed in the service of the aforesaid towns, to their hurt and damage; for remedy whereof, and that the several towns within this province may have and enjoy the full and uninterrupted exercise of the powers, rights and privileges so well adapted and established for their good and benefit,—

Be it enacted by the Lieutenant-Governour, Council and Representatives in General Court assembled, and by the authority of the same,

[SECT. 1.] That when and so often as any town or precinct within this province shall think fit to raise any sum or sums of money, for such ends and uses as shall be agreed upon pursuant to law by the freeholders and inhabitants lawfully warned to convene, or the major part of those present, and then and at all such times the selectmen or assessors of the several towns and precincts within this province, shall apportion such sum or sums upon the inhabitants and estates of such towns and precincts according to the last rule prescribed and set by act of the general assembly, for the apportioning and assessing the publick taxes.

County, town and precinct taxes to be apportioned according to the last rule for the public tax.

Provided,

[SECT. 2.] That, at the time of raising such sum or sums, no rule shall be given by the general court for assessing the publick taxes as aforesaid; any law, usage or custom to the contrary thereof notwithstanding.

Proviso.

Provided, also,

[SECT. 3.] That this act continue in force to the end of the session of the general assembly in May, 1730, and no longer. [*Passed to be engrossed January 11, 1727-28.*]

Limitation.

CHAPTER 9.

AN ACT FOR THE RELIEF OF POOR PRISONERS FOR DEBT.

WHEREAS, by the law of this province, no provision is made for the support of prisoners for debt who have not wherewithal to subsist themselves in prison, whereby such prisoners may greatly suffer in goal; for prevention whereof,—

Preamble.
1698, chap. 11.
1706-7, chap. 2.
1725-26, chap. 9.