

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

Estates of Quakers and Anabaptists to be exempted from paying to the ministry.

[SECT. 1.] That from and after the publication of this act, the proper estates, real and personal, of the aforementioned Anabaptists and Quakers, being in their own hands and under their actual management and improvement, shall be exempted in the same manner and under the same conditions and limitations that their polls are or were in and by the said act of the first and second year of his present majesty's reign.

And be it further enacted,

Others to be assessed to the ministerial tax.

[SECT. 2.] That the assessors in each town or precinct respectively be, and hereby are, enabled and empowered to assess and levy in proportion to the province tax the whole ministerial rate, as by contract, or by order of the court of general sessions of the peace in the respective count[ie][y]s according to law, on the persons and estates of all others living and lying within such town or precinct, not express'd by name in the list to be taken, as in the act afore referred to is directed.

Provided,

Proviso.

[SECT. 3.] Nothing in this act shall be construed to free any person from paying their proportion of any ministerial charge, or charge towards any meeting-house for the publick worship of God where the rate or assessment has been already made and delivered to the officer for collecting it.

Limitation.

[SECT. 4.] This act to continue and be in force from the publication of it, until the end of the session of this court in May, one thousand seven hundred and thirty-three, and no longer. [*Passed December 20; published December 24.*]

CHAPTER 7.

AN ACT FOR REGULATING THE FERR[IE][Y]S BETWEEN THE COUNT[IE][Y]S OF BARNSTABLE AND DUKES COUNTY.

Preamble.

WHEREAS there have been several controvers[ie][y]s and differences betwixt the count[ie][y]s of Barnstable and Dukes County, with regard to the regulating and licencing the ferry between the said count[ie][y]s, and the persons keeping the same; for prevention whereof for the future,—

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

Justices of Barnstable County to grant license for the ferry on their side.

[SECT. 1.] That the justices of the court of general sessions of the peace within the county of Barnstable be, and hereby are, impowered to grant the licence for keeping the ferry on the side belonging to Barnstable County, to such person or persons dwelling within the said county, as they shall judge meet for that service, and necessary for the greater conveniency of passengers; they observing such orders and directions as are appointed in the act entituled "An Act for regulating of ferr[ie][y]s," made and passed in the sixth year of the reign of King William and Queen Mary.

1694-95, chap. 16.

And be it further enacted by the authority aforesaid,

Justices of Dukes County to do the same on their side.

[SECT. 2.] That the justices of the court of general sessions of the peace for Dukes County be, and hereby are, also impowered to grant licence for keeping the ferry on that side belonging to Dukes County, to such suitable person or persons dwelling within the said county, as the said court shall judge necessary for the accommodation of passen-

gers; the said ferrymen to be also under the regulations and orders as are mention[e]d in the aforesaid act.

And be it further enacted by the authority aforesaid,

[SECT. 3.] That if any person or persons shall from henceforth presume to transport any passenger[s], horse, cattle or goods over the said ferry, demanding pay for the same, having no right or authority so to do from the court of general sessions of the peace, in the respective count[ie][y]s to which they belong, nor leave from the person or persons authorized as aforesaid to keep the said ferry, he or they shall for every such offence, forfeit and pay the sum of forty shillings; the one half to his majesty, for and towards the support of this government, the other half to him or them that shall inform and sue for the same, before one of his majest[ie][y]s justices of the peace within the count[ie][y]s respectively, where the offence shall be committed, and be further liable to pay such damage as may or shall accrue to the person or persons assigned or authorized to keep the said ferry.

Persons ferry-
ing without
license liable to
prosecution.

Provided,

[SECT. 4.] That this act be and continue in force from the publica-
tion thereof, until the end of the session of this court in May, one thou-
sand seven hundred and thirty-one, and no longer. [Passed December
16; published December 24.]

Limitation.

NOTES.—“The governor having held several sessions at Salem without any success he adjourned the court, to meet the 21st (20th) of August at Cambridge. This widdned the breach, and the house grew warmer in their votes and messages, and complained that they were to be compelled to measure against their judgment, by being harrassed and drove from one part of the province to another.”—*Hutchinson's Hist. Mass. Bay, vol. 2, p. 364.*

There were four sessions of the General Court this year; but no acts were passed at the first and second sessions.

All the foregoing acts, except chapters 3 and 4, were printed with the sessions acts; and the engrossments of all are preserved.

These acts were submitted to Mr. Fane June 10, 1731, and he reported, October 26, 1731, that he had no objection to them in point of law.

(a.) “Sept. 24. 1729. In the House of Represent^{ves} ORDERED that the Treasurer be & hereby is empowered & directed to issue forth & emit the sum of Twenty Thousand Pounds in Bills of Credit on this Province for the necessary Support & Defence of this Governm^t & the Protection & Preservation of the Inhabitants thereof; The said Twenty Thousand Pounds being already in his Hands & received for Taxes, Impost &c, To be issued & disposed of by Warrant under the Hand of the Lienten^t Governor & Commander in Chief for the Time being with the Advice & Consent of the Council; Nineteen Thousand five Hundred Pounds Part thereof shall be applied for the Uses, Intents & Purposes in this Order hereafter expressed; viz, For the Payment of all Grants, Premiums & Stipends established by Law, for the defraying & paying the Charges of Castle William & the other Ports & Garrisons, Transports, Muster Rolls of Soldiers & Sailors, Allowances &c., and all other Accompts of Charges allowed & pass'd on for Payment by this Court; And that the Sum of Five Hundred Pounds being the Residue & remaining Part of the said Twenty Thousand Pounds shall be allow'd for y^e Payment of Expresses dispatched in the Service of this Governm^t in the Recess of this Court together with all other necessary & unforeseen Charges that demand prompt Payment, which shall arise in the Recess of the Court as aforesaid; *Provided always* that the several Draughts made upon the Treasurer as aforesaid express & declare out of which of the two several Sums aforementioned the Money is to be paid: And the s^d Bills shall pass out of the Treasury at the Value therein express'd equivalent to Money & shall be so taken & accepted in all publick Payments. And the Duties of Impost & Excise together with all other Incomes shall be a Fund & Security for the Payment & Drawing the said Bills into the Treasury again so far as the same will reach; And

It is further ORDERED that there be & hereby is granted unto His most Excellent Majesty for the Ends & Uses aforesaid & for no other Ends & Uses whatsoever a Tax of Twenty Thousand Pounds to be levied upon Polls & Estates both real & personal within this Province according to such Rules & in such Proportion upon the several Towns & Districts within the same as shall be agreed on & ordered by the Great & General Court or Assembly of this Province at their Session in May, One Thousand seven Hundred & forty & paid into the Treasury on or before the last Day of December next next* after.

In Council; Read & Concur'd;—
—*Council Records, vol. XIV., p. 350.*

Consented to, W^m DUMMER.”

* Sic.