

Proviso.

*And be it further enacted by the authority aforesaid, That nothing in this Act contained, shall be construed, to controul any last will and testament, or any part thereof.*

*June 27, 1786.*

### 1786. — Chapter 6.

[May Session, ch. 6.]

Chap. 6.

AN ACT TO ENABLE THE INHABITANTS OF THE FIRST PARISH IN THE TOWN OF *FALMOUTH*, IN THE COUNTY OF *CUMBERLAND*, TO SELL THE MINISTERIAL LANDS THERE, TOWARDS RAISING A FUND FOR THE SUPPORT OF THE MINISTRY, AND TO TAX THE PEWS IN THE MEETING HOUSE, IN SAID PARISH, UNTIL SUCH FUND BE RAISED.

Preamble.

*Whereas the inhabitants of the First Parish in the Town of Falmouth, in the County of Cumberland, have represented to this Court, that many difficulties subsist within the same, in respect to the raising of monies for the support of the ministry, by the usual mode of laying taxes upon polls and estates, and as a remedy whereof have requested, that an Act might be passed to enable them to sell the ministerial lands there, the proceeds whereof, together with such sums as have been, or may be subscribed by individual persons, to be applied to the raising of a fund for that purpose and that they might be empowered to tax the pews in the meeting house in said parish, until such fund be raised.*

*Be it therefore enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the said parish by such Committee as they may appoint for that purpose, be, and they hereby are empowered to sell and dispose of all such lands in said parish, as were originally granted for the use of the ministry, or now belong to said parish, and to make and execute a good and sufficient deed or deeds of the same, according to law.*

Parish Committee to sell ministerial lands.

Interest of the proceeds to support ministry.

*And be it further enacted, That the monies arising from such sale, as also all monies which already are, or may hereafter be given by any person or persons for the purpose, shall be applied to the establishment of a fund, the interest whereof shall be and hereby is appropriated to the support of the present Ministers of said parish, and their successors, who may hereafter be elected by said parish — such interest to be received and applied as aforesaid, by the Committee of the parish who may be annually*

chosen for that purpose. *Provided nevertheless,* That no Proviso. such sale shall be considered valid, unless the Minister or Ministers of said parish for the time being, shall signify, in writing, his or their consent to the same.

*And be it further enacted by the authority aforesaid,* That the inhabitants of said parish be and they hereby are authorized and empowered, until such fund be established, to raise by a tax upon the pews in said meeting house, such sum or sums as shall be annually voted and agreed upon at their annual meeting in *March*, for paying the salary or salaries of their Minister or Ministers, and defraying the other necessary charges of the parish, or so much of the same as the income arising from the fund, may in case of its not being sufficient for the purpose, fall short. Tax in the mean time upon the pews.

*And be it further enacted,* That the said pews shall be taxed, and pay towards such salary or salaries and charges, according to their valuation, respect being had to their convenience and situation, which valuation shall be set thereon by the Assessors of said parish, from time to time, as may be found necessary; and all such taxes or assessments shall be made and levied according to such valuation proportionally; and if the same be not paid within six months from the time, the Collector shall give notice thereof to the proprietor or owner of the pew assessed (which notice he shall give by causing an advertisement of the same, to be inserted in the *Falmouth Gazette*, specifying the number of the pew, and the sum at which it is assessed, or in such other way as the parish at a legal meeting shall determine) the said Collector shall proceed to sell the pew of such delinquent proprietor or owner, at public vendue, notice of such sale being previously given in the *Falmouth Gazette*, three weeks successively, or in such other way as the said parish shall determine, and after deducting the said taxes, and necessary charges of sale, the overplus, if there be any, shall be paid to the delinquent proprietor or owner of the Pew so sold. Mode of levying it.

*June 27, 1786.*

### 1786. — Chapter 7.

[May Session, ch. 7.]

AN ACT TO PREVENT THE DESTRUCTION OF SALMON, SHAD, AND ALEWIVES, AND OTHER FISH IN AGAWAM, OR WEST-FIELD RIVER. *Chap. 7.*

*Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority*