

out, & into the Territories thereof great quantities of Tobacco without paying or securing to the said dutys and customs due & to be paid by the Statutes of England and the Laws of this Province, to the great prejudice of the Country & the several persons interested in the said dutys and the Trade of this Province.

For prevention whereof for the future, Be it Enacted by the Queens most Excellent Majest y by & with the Advice & Consent of her Majest y's Governo ur Council & Assembly of this Province and the Authority of the same, that from & after the publication hereof all Planters Merchants Factors and others having property for disposal of any Tobaccoes in the upper parts of this Province, and who shall permit suffer or connive at carrying the same out of their houses custody or possession in order to be rowled or carted over Land into the Province of Pennsylvania or Territory thereunto belonging before such person intending to carry away the same produce unto such Planter Factor or Merchant having the property or disposal thereof an authentick Certificate under the Hand & Seal of the Officer or Officers of the District, importing the place where the Tobacco lyes, and of whom the same was bought, and that all the dutys payable upon the exportation of tobacco out of one Plantation into another are answer'd unto such Officer or Officers, such person so permitting suffering or conniving at the carting or rowling such tobacco, and the owner, purchaser person rowling or carting and their ass'ters & abettors or any of them shall for every hoghead or for every four hundred pounds of tobacco so carried or designed to be carried as aforesaid, and *pro rato* for a greater or lesser quantity forfeit the Sum of ten pounds Sterling, one half thereof to him her or those that shall inform or sue for the same, the other half to her Majest y for support of Government, to be recover'd in any of the Courts of Record within this Province having Jurisdiction of the sum forfeited, by Bill Plaintiff Action of Debt or Information, wherein no Esjoyn Protection or Wager of Law to be allowed.

*An Act for suspending (during the Queens pleasure) the prosecution of the Priests of the Romish Communion incurring the penaltys of the Act to prevent the growth of Popery in this Province by exercising their Function in a private Family of the Roman Communion but in no other case whatsoever.*

W Hereas at a Sessions of Assembly begun and held at the Town & Port of Annapolis the 5th day of September in the Third Year of her Majest y's Reign and in the Year of our Lord God 1704 an Act past intituled *an Act to prevent the growth of Popery* : and that afterwards viz. at a Sessions of Assembly begun and held at the Town and Port aforesaid the fifth day of December 1704 upon due consideration of the said Law the consequences thereof as also what the real intent of the same was by his Excellency the Governo ur of thi s Province her Majest y's honourable Council and the Delegates & Representatives of the people in Assembly one other Act past intituled *an Act for suspending the prosecution of any Priests of the Communion of the Church of Rome incurring the penaltys of the said former Act by exercising his Function in a private Family of the Roman Communion but in no other case whatsoever for eighteen Months or until her Majest y's pleasure therein known*, which said last Act was further continued for 12 Months or her Majest y's pleasure known by an Act to that purpose made at a Sessions of Assembly held at the Town & Port of Annapolis the 2d day of April Anno Domini 1706 and both the said former Acts being taken into her Majest y's Royal Consideration out of her Gracious Tenderness to all her Subjects behaving themselves peaceably and quietly under her Majest y's Government, she has been graciously pleased by her Order to his Excellency the Governo ur of this Province bearing date at the Council Board at Whitehall the 3d day of January 1705 to direct that a new Law or clause of a Law shou d be enacted in this Province whereby the said Act of Assembly suspending the execution of that part of the said first mention'd Law for preventing the growth of Popery, viz. as to the prosecution of any Priests of the Communion of the Church of Rome incurring the penaltys of the said Act by exercising their Function in a private Family of the Roman Communion but in no other case whatsoever may be continued without any other limitation of time than until her Majest y's further pleasure be declared and signified therein. In Obedience wherunto,

Be it Enacted by the Queens most Excellent Majesty by & with the Advice & Consent of her Majest y's Governo ur Council & Assembly of this Province and the Authority of the same, that no Popish Bishop Priests or Jesuit shall by virtue of the said Act of Assembly to prevent the growth of Popery within this Province for or by reason of the exercising his Function in a private Family of the Roman Communion be prosecuted or indicted before any other Majest y's Justices impowered to hold Pleas thereof within this Province for and until her Majest y's Royal Will & Pleasure shall be first signified thereto, any Law Statute or Usage to the contrary notwithstanding.

Provided always, that this Act nor any thing therein contain'd shall be construed or taken in any wise to extend to the defeating rescinding abrogating or suspending the Force Vigour or Effect of the aforesaid Act for preventing the growth of Popery in any other manner or thing what so ever, or for ordering any longer time than what is here in express & declared.