



Laws Relating to the Early Colonial Church in Virginia: From Volume I, Henning's Statutes at Large

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LAWS RELATING TO THE EARLY COLONIAL CHURCH IN VIRGINIA

FROM VOLUME I, HENING'S STATUTES AT LARGE

Compiled by William A. R. Goodwin.

THE Virginia Colony, which was established at Jamestown in 1607, had its origin in the avowed desire to extend the dominion of the English crown and the dominant influence of the English Church. In these fundamental motives it differed radically from the purposes which prompted the early colonizations in northern New England, where, in general, the Church of England had to fight for its footing.

The Virginia settlers left old England with chartered sanctions from King and Council and with the formal commission of the Church of England, evidenced by services of blessing held upon their departure and the commission of the Archbishop of Canterbury appointing Robert Hunt, of Reculver in Kent, as the official Chaplain of the Colony.

The Royal Charter "relating to the First Settlement of Virginia," dated April 10th, 1606, emphasizes the place which the Christian religion as held and taught by the Church of England should have in the life and conduct of the Colony.

The Preamble of the Charter, Section III, states:

We greatly commending, and graciously accepting of, their desires for the furtherance of so noble a work, which may, by the providence of Almighty God, hereafter tend to the glory of his divine Majesty, in propagating of Christian religion to such people, as yet live in darkness and miserable ignorance of the true knowledge and worship of God, and may in time bring the infidels and savages, living in those parts, to human civility, and to a settled and quiet government; Do by these our letters pattents, graciously accept of, and agree to, their humble and well intended desires. (Hening's Statutes at Large. Page 58.)

In the same Charter, among the Articles, Instructions and Orders "sett down and established by us," the Charter says:—

. . . And wee doe specially ordaine, charge, and require, the said presidents and councells, and the ministers of the said several colonies respectively, within their several limits and precincts, that they, with all diligence, care, and respect, doe provide, that the true word, and service of God and Christian faith be preached, planted, and used, not only within every of the said colonies, and plantations, but alsoe as much as they may amongst the salvage people which doe or shall adjoine unto them, or border upon them, according to the doctrine, rights, and religion now professed and established within our realme of England, and that they shall not suffer any person, or persons to withdrawe any of the subjects or people inhabiting, or which shall inhabit within any of the said several colonies and plantations from the same, or from their due allegiance, unto us, our heires and successors, as their immediate soveraigne under God. (Pages 68-69.)

In this Charter the following instruction is given relative to christianizing the Indians:—

. . . And wee doe hereby determine and ordaine, that every person and persons being our subjects of every the said collonies and plantations shall from time to time well entreate those salvages in those parts, and use all good meanes to draw the salvages and heathen people of the said several places, and of the territories and countries adjoining to the true service and knowledge of God, and that all just, kind and charitable courses, shall be holden with such of them as shall conforme themselves to any good and sociable traffique and dealing with the subjects of us, our heires and successors, which shall be planted there, whereby they may be the sooner drawne to the true knowledge of God, and the obedience of us, our heires, and successors. (Page 74.)

Their first act upon landing on Virginia soil was to hold a service of thanksgiving at Cape Henry. They then proceeded up the Powhatan River, which was renamed the James in honor of their patron King, and landed on May 13, 1607, at a point which they named Jamestown. There another service of thanksgiving was held and on the Third Sunday after Trinity the Holy Communion was celebrated.

Captain John Smith wrote:—

“I well remember wee did hang an awning (which is an old saile) to three or foure trees, to shadow us from the Sunne, our walles were railes of wood, our seates unhewed trees, till we cut planks; our Pulpit a bar of wood nailed to two neighbouring trees; in foule weather we shifted into an old rotten tent; for we had few better, and this came by way

of advantage for new. . . . Wee had daily Common Prayer morning and evening, every Sunday two Sermons, and every three months the holy communion, till our minister died (the Rev. Mr. Hunt): but our prayers daily, with an homily on Sundaies, we continued two or three years after, till more Preachers came."*

On July 30, 1619, the first representative Legislative Assembly held in the new world met in the Church at Jamestown, where:—

"Sir George Yeardley, the Governor, being sett downe in his accustomed place, those of the Counsel of Estate sate next to him on both handes, except onely the Secretary (John Pory), then appointed Speaker, who sate right before him; John Twine, clerke of the General Assembly, being placed next the Speaker; and Thomas Peirse, the Sergeant, standing at the barre, to be ready for any service the Assembly should command him. But forasmuche as men's affaires doe little prosper where God's service is neglected, all the Burgesses took their places in the Quire till a prayer was said by Mr. (Richard) Bucke, the minister, that it would please God to guard and sanctifie all our proceedings to his owne glory and the good of this Plantation."†

It is of interest to note that the first seven laws enacted by the Assembly were laws governing the Church and Christian conduct in Virginia.

These and subsequent laws of similar import are to be found scattered through the thirteen volumes of Hening's Statutes at Large. These volumes, while not rare, are not generally easily accessible. Therefore, it has been thought that a useful purpose would be served by collecting these laws and publishing them consecutively as is here done. The laws presented in this article are all taken from Volume I of Hening, and cover the period from 1619 to 1660.

The ancient spelling has been used, except that the double small *f* has been replaced by the *F* as in the original, and the abbreviation *ye* is replaced by *the*, as *ye* was so intended and was so pronounced.

The page numbers following each Act refer to pages in Hening's Statutes at Large.

The Laws are as follows:—

LAWS AND ORDERS
CONCLUDED ON BY THE GENERAL ASSEMBLY,
MARCH THE 5TH, 1623-4.

- I. THAT there shall be in every plantation, where the people use to meete for the worship of God, a house or roome sequestred

**Smith, Works (Arber's ed.)* 958.

†*Virginia State Senate Doc. (extra)* 1874, 9-32.

- for that purpose, and not to be for any temporal use whatsoever, and a place empaled in, sequestered only to the buryal of the dead. (Pages 122, 123.)
- II. That whosoever shall absent himselfe from divine service any Sunday without an allowable excuse shall forfeite a pound of tobacco, and he that absenteth himselfe a month shall forfeit 50 lb. of tobacco. (Page 123.)
- III. That there be an uniformity in our church as neere as may be to the canons in England; both in substance and circumstance, and that all persons yeild readie obedience unto them under paine of censure. (Page 123.)
- IV. That the 22d of March*be yeerly solemnized as holliday, and all other hollidays (except when they fall two together) betwixt the feast of the annuntiation of the blessed virgin and St. Michael the archangell, then only the first to be observed by reason of our necessities. (Page 123.)
- V. That no minister be absent from his church above two months in all the yeare upon penalty of forfeiting halfe his means, and whosoever shall absent above fowre months in the year shall forfeit his whole means and cure. (Pages 123, 124.)
- VI. That whosoever shall disparage a minister without bringing sufficient prooffe to justify his reports whereby the mindes of his parishioners may be alienated from him, and his ministry prove the less effectual by their prejudication, shall not only pay 500 lb. waight of tobacco but also aske the minister so wronged forgiveness publickly in the congregation. (Page 124.)
- VII. That no man dispose of any of his tobacco before the minister be satisfied, upon pain of forfeiture double his part of the minister's means, and one man of every plantation to collect his means out of the first and best tobacco and corn. (Page 124.)
- XIX. The proclamations for swearing and drunkenness sett out by the governor and counsell are confirmed by this Assembly; and it is further ordered that the churchwardens shall be sworne to present them to the commanders of every plantation and that the forfeitures shall be collected by them to be for publique uses. (Page 126.)

THE GENERAL ASSEMBLY

HOLDEN THE 16TH DAY OF OCTOBER, 1629

ACT VII

IT is ordered that there bee an especiall care taken by all commanders and others that the people doe repaire to their churches on

**This was in commemoration of the escape of the colony from entire extirpation by the fatal massacre of the Indians on the 22d of March, 1622. See Burk's Hist. Virg., Vol. 1, p. 240.*

the Saboth day, and to see that the penalty of one pound of tobacco for every time of absence and 50 pound for every months absence sett downe in the act of the Generall Assembly 1623, be levyed and the delinquents to pay the same, as alsoe to see that the Saboth day be not ordinarily profaned by workeing in any employments or by journeying from place to place. (Page 144.)

ACT IX

IT is thought fitt that all those that worke in the ground of what qualitie or condition soever, shall pay tithes to the ministers. (Page 144.)

THE GENERAL ASSEMBLY

HOLDEN THE 24TH MARCH, ANNO DOMINI 1629-30

ACT I

IT is ordered, That all ministers residing and beeing, or who hereafter shall reside and bee within this colony, shall conforme themselves in all thinges according to the cannons of the church of England. And if there shall bee any that, after notice given, shall refuse for to conforme himselfe, hee shall undergoe such censure, as by the said cannons in such cases is provided for such delinquent. And that all acts formerly made concerning ministers shall stand in force, and bee duly observed and kept. (Page 149.)

A GRAND ASSEMBLY

HOLDEN AT JAMES CITY THE 21ST OF FEBRUARY, 1631-2

ACT I

The 24th day of February was enacted this following Order for the Mynisters.

IT is ordered, That theire bee a uniformitie throughout this colony both in substance and circumstance to the cannons and constitution of the church of England as neere as may bee and that every person yeald readie obedience unto them upon penaltie of the paynes and forfeitures in that case appoynted. (Page 155.)

ACT II

THAT the statutes for comminge to church every Sunday and holydays bee duly executed. That is to say; that the church-wardens doe levy one shilling for every tyme of any person's absence from the church havinge no lawfull or reasonable excuse to bee absent. And for due execution hereof the Governor and Councell together with the burgisses of this grand assembly doe in Gods name earnestlie require and chardge all commanders, captaynes and church-wardens

that they shall endeavour themselves to the uttermost of their knowledge that the due and true execution hereof may be done and had through this colony, as they will answer before God for such evils and plagues wherewith Almighty God may justlie punish his people for neglectinge this good and wholesome lawe. (Page 155.)

ACT III

IT is ordered, That as many of the mynisters as convenientlie may, and one of the church-wardens at least, of every parish be present yearlie at midsomer quarter cort holden on the first day of June; and theire to make their presentments uppon oath, together with a register of all burials, christenings, & marriages, as likewise their accounts of all levyes, collections and disbursements as have beene or fallen out in their tymes concerninge the church affayres. And further that they choose church-wardens at the feast of Easter yearlie. (Page 155.)

ACT IV

And it is further ordered and thought expedient, according to a former order made, by the governor and counsell that all church-wardens shall take this oath and that it bee admynistered before those that are of the commission for mounthlie corts, viz.

"YOU shall sweare that you shall make presentments of all such "persons as shall lead a prophayne or ungodlie life, of such as shall "be common swearers, drunkards or blasphemers, that shall ordinarilie "profane the saboth dayes or contemne Gods holy word or sacraments. "You shall also present all adulterers or fornicators, or such as shall "abuse their neighbors by slanderinge tale carryinge or back biting, "or that shall not behave themselves orderlie and soberlie in the "church during devyne servise. Likewise they shall present such "maysters and mistrisses as shall be delinquent in the catechisinge "the youth and ignorant persons. So helpe yow God!" (Page 156.)

ACT V

NOE man shall disparage a mynister whereby the myndes of his parishioners may be alienated from him and his mynistrie prove less effectuell upon payne of severe censure of the governor and counsell. (Page 156.)

ACT VI

NO mynister shall celebrate matrimony betweene any persons without a facultie or lycense graunted by the Governor, except the baynes of matrimony have been first published three severall Sundays or holydays in the time of devyne service in the parish churches where the sayd persons dwell accordinge to the booke of common prayer, neither shall any mynister under any pretense whatsoever ioyne any persons soe licensed in marriage at any unseasonable tymes but only betweene the howers of eight and twelve in the forenoon, nor when banes are thrice asked, and no lycense in that respect necessarie, before the parents or guardians of the parties to be married beinge under

the age of twenty and one years, shall either personally or by sufficient testimony signifie unto him their consents given to the said marriage. (Page 156.)

ACT VII

EVERY mynister in this colony havinge cure of soules shall preach one sermon every sunday in the yeare, havinge no lawful impediment, and yf the mynisters shall neglect their charge by unnecessary absence or otherwise the church wardens are to present it. But because in this colony the places of their cure are in many places far distant, It is thought fitt that the mynisters doe soe divide their turnes as by joynt agreement of the parishioners they should be desired. (Page 157.)

ACT VIII

IT is also thought fit, That upon every Sunday the mynister shall halfe an hower or more before evenenge prayer examine, catechise, and instruct the youth and ignorant persons of his parrish, in the ten commandments the articles of the beliefe and in the Lord's prayer; and shall diligentlie heere, instruct and teach them the catechisme, sett forth in the booke of common prayer. And all fathers, mothers, maysters and mistrisses shall cause their children, servants or apprentices which have not learned the catechisme to come to the church at the tyme appoynted, obedientlie to heare, and to be ordered by the mynister untill they have learned the same: And yf any of the sayd Fathers, mothers, maysters and mistrisses, children, servants or apprentices, shall neglect their duties as the one sorte in not causinge them to come and the other in refusinge to learne as afore-sayd, they shall be censured by the courts in those places holden. And this act to take beginninge at Easter next. (Page 157.)

ACT IX

WHEN any person is dangerouslie sicke in any parrish, the mynister haveinge knowledge thereof shall resort unto him or her to instruct and comfort them in their distresse. (Pages 157, 158.)

ACT X

IN every parrish church within this colony shall be kept by the mynister a booke wherein shall be written the day and yeare of every christeninge, weddinge, and buriall. (Page 158.)

ACT XI

MYNISTERS shall not give themselves to excesse in drinkinge, or riott, spendinge their tyme idellye by day or night, playinge at dice, cards, or any other unlawfull game; but at all tymes convenient they shall heare or reade somewhat of the holy scriptures, or shall occupie themselves with some other honest study or exercise, alwayes doinge the thinges which shall apperteyne to honesty, and endeavour to profitt the church of God, always haveinge in mynd that they ought

to excell all others in puritie of life, and should be examples to the people to live well and christianlie. (Page 158.)

ACT XII

IN every parish church where sacraments are to be admynistered within this colony, the holi communion shall be admynistred by the mynister thrice in the yeare, whereof the feast of Easter to be one. (Page 158.)

ACT XIII

AND all preachinge, admynistringe of the communion, and mariages shall be done in the church except in cases of necessitie. (Page 158.)

ACT XIV

The 24th of February was enacted this followinge Order for the Mynisters, viz:

THE governor and counsell togeather with the burgisses in this present grand assembly, uppon the petition of the mynisters within this colony, have taken into their consideration by what way their might be a sufficient meanes allowed unto the said mynisters for their better subsistence and encouragement in their mynistrie; and thereuppon have ordeyned and enacted that there shall be payd unto the sayd mynisters the former allowance of 10 lb. of tobaccoe and a bushell of corne, in such manner as formerlie hath beene done; and because of the lowe rates of tobacco at this present It is further graunted and ordered, that their shall be likewise due to the mynisters from the first day of March next ensuinge the 20th calfe, the 20th kidd of goates, and the 20th pigge, throughout all plantations within this colony; and that their may arise no difficultie nor controversie in the payment of this new allowance of meanes, It is thought fitt and ordered, That where any parishioners shall not have the complete number of 20 calves, kidds or piggs then the number which hath fallen att the feast of Easter shal be praysed and rated betweene the mynisters and one or more of his parishioners, and the 20th part thereof allowed to the mynister proportionably; but yf it fall out the number of calves, kidds or piggs arise to twenty then the owner is to choose five out of the sayd number and the mynister to make his choyse in the sixt place, and it is thought fitt that the owners keepe the sayd calves, kidds, or piggs untill the tyme that they bee weaneable, that is to say, for calves the owner to keepe them 7 weekes, and kidds likewise 7 weeks and piggs a month. And the parishioners are to give notice to the mynisters when they shall fetch their calves, kidds, or piggs that be due unto them. And this act to continue in force, untill the next meetinge of the grand assembly, at which tyme their may fall out just cause of alteration either by the advancement of tobacco or some other meanes, for that formerlie the ancient allowance of 10 lb. of tobacco and a bushell of corne hath beene a sufficient proportion for their maynteynance in their callinge.

It is likewise ordered, That the mynister shall have these petty duties as followeth, viz:

Imprimis.	For Marriage	2	0
	for Christeninge	0	0
	for Churchinge	1	0
	for Buryinge	1	0

It is ordered, That uppon the 25th day of October if it be not Sunday, and then the day followinge, the church-wardens shall give notice to the parishioners that they bringe in the dutie of 10 lb. of tobacco for the mynisters unto a place to be appoynted within that plantation by the sayd church-wardens, and that the mynister bee warned to be there or appoynt some other to receive the same. And it is likewise ordered, That the dutie of a bushell of corne be brought in uppon the 19th day of December to the place appoynted within that plantation by the mynister. And no planter or parishioner may neglect the bringinge of the tobacco, or corne uppon the penalty that yf any make default they shall forfeit double the quantitie of the tobacco and corne to be levied by distresse by authoritie from the commander; and likewise, by distresse, all arrearages of tobaccoe and corne due to the mynisters as duties shall or may be recovered by virtue of this order of this assembly. And yf the church-wardens shall fayle in the execution of theire office hereby inioyned then the commander shall take order that it be levied by distresse out of the church-wardens' goods and chattells. (Pages 159, 160.)

ACT XV

IT is ordeyned and enacted that in all such places where any churches are wantinge, or decayed, the inhabitants shall be tyed to contribute towards the buildinge of a church, or repayringe any decayed church, the commissioners, togeather with the mynisters, church-wardens and chiefe of the parish to appoynt both the most convenient place for all parts to assemble togeather, and also to hire and procure any workeman, and order such necessities as are requisite to be done in such workes. This they are to effect before the feast of the nativitie of our Saviour Christ, or else the sayd commissioners, yf they be deficient in theire duties, to forfeit 50£ in money, to be employed as the whole bodie of the Assembly shall dispose.

And it is ordered in like manner, That theire be a certayne portion of ground appoynted out, and impaled or fenced in (uppon penalty of twenty Marques) to be for the buriall of the dead. (Pages 160, 161.)

* * *

ACT XVIII

IT is ordered, that all the counsell and burgisses of the assembly shall, in the morninge, be present at devine service, in the roome where they sitt, at the third beatinge of the drum, an hower after sun rise, uppon the penaltie of one shillinge to the benefitt of the marshall at James Citty; and yf any shall absent himselfe from the assembly, to pay 2s 6d to the same use; and yf any shall after neglect, to be fined by the whole bodie of the assembly. And this act to con-

tinue in force untill the assembly shall see cause to revoke it. (Page 162.)

* * *

ACT XXXI

AND the lawes of England agaynst drunkards are thought fitt, to be published and dulle put in execution, that is to say, for every offence to pay five shillings to the hands of the church wardens, and further as is conteyned in the statutes of the 4th of kinge James and the 5th chapter. (Page 167.)

ACT XXXII

AND it is thought fitt, That whosoever shall sweare an oath shall pay for every oath one shilling, as is ordeyned by the statute, &c. (Page 167.)

* * *

ACT LI

ALL men that are fittinge to beare armes, shall bringe their peices to the church uppon payne of every effence, yf the mayster allow not thereof to pay 2 lb. of tobacco, to be disposed by the churchwardens, who shall levy it by distresse, and the servants to be punished. (Page 174.)

At a GRAND ASSEMBLY, holden at James Citty the 4th day of September, 1632, the following acts were reenacted with slight verbal changes which are of no material consequence. These Acts are, therefore, here referred to by Act, number, and page reference, but are not here reprinted. The acts reenacted are as follows:

- Act I. Page 180 Hening.
- Act II. Page 180 Hening.
- Act III. Page 180 Hening.
- Act IV. Page 181 Hening.
- Act V. Page 181 Hening.
- Act VI. Page 181 Hening.
- Act VII. Pages 181, 182, Hening.
- Act VIII. Page 182 Hening.
- Act IX. Page 182 Hening.
- Act X. Pages 182, 183, Hening.
- Act XI. Page 183 Hening.
- Act XII. Page 183 Hening.
- Act XIII. Page 183 Hening. Slightly altered from Act XIII, p. 158.
- Act XIV. Pages 183, 184, Hening. Slightly altered from Act XIV, p. 159.
- Act XV. Pages 184, 185, Hening. Slightly altered from Act XIV, p. 159.
- Act XVI. Pages 184, 185, Hening. Slightly altered from Act XIV, p. 160.
- Act XVII. Page 185 Hening.
- Act XLV. Page 198 Hening.

A
GRAND ASSEMBLY

HOLDEN AT JAMES CITY THE FIRST DAY OF FEBRUARY, 1632-3

ACT II

AN ACT CONCERNINGE MYNISTERS' ALLOWANCE

THE whole bodie of the Assembly takinge into their consideration the allowance of the twentyeth calves, kidds, and piggs graunted unto the Mynisters in the 14th act in the Assembly holden on the 4th day of September last past, and made to endure for the terme of one whole yeare, then next ensuinge, for the better encouragement of the mynisters in their callinge, have thought fitt to continew the sayd 14th act in all parts and respects, untill the sessions of the next Assembly. (Page 207.)

ACT III

CONCERNINGE the payment of the dutie of 10 lb. tobacco to the mynisters appoynted by the 16th act of the Assembly holden the 4th day of September last past, It is thought fitt, That the sayd act be repealed so farr forth as concerneth the bringinge in of the sayd 10 lb. of tobacco unto appoynted places for that purpose; and in all other poynts to continue and remayne in full force and strength. And it is further ordered by the Assembly, That the sayd dutie of ten pounds of tobacco be payd to such whome the mynister shall appoynt at the severall stores aforesaid, before any other tobacco of any man's cropp be disposed of. (Page 207.)

ACT IV

AN ACT THAT THE MYNISTERS APPOYNT DEACONS IN REMOATE PLACES
TO READ COMMON PRAYER

In such places where the extent of the cure of any mynister is so large that he cannot be present himselfe on the Saboth dayes and other holydays, It is thought fitt, That they appoynt and allow mayntenance for deacons where any havinge taken orders can be found for the readinge common prayer in their absence. (Page 208.)

ACTS

MADE BY THE

GRAND ASSEMBLY

HOLDEN AT JAMES CITY, THE 21ST AUGUST, 1633

ACT XIII

AN ACT TO REPEALE THE ALLOWANCE OF THE 20TH CALFE, KIDD, OR
PIGGE, TO THE MYNISTERS

WHEREAS by the Assembly held on the first day of February, 1632, the act intituled "An act concerninge the Mynisters' allowance,"

is onlie to continew untill the session of this present Assembly, It is now thought fitt, That the said act be fully repealed, voyd, and of none effect untill it shall be fittinge to re-establish the sayd act. And for such mynisters as have not this yeare, for the tyme past, taken the sayd tythes of the 20th calfe, kidd, or pigge, It is also ordered, That the composition which they have made for the same, shall be paid unto the said mynisters this ensuinge cropp, at the tyme when their tobacco and corne is due unto them. (Page 220.)

ATT A
GRAND ASSEMBLY

6TH JANUARY, 1639—SR. FRANCIS WYATT, GOV.

ACT VII

HOW public charges and impositions is to be paid, vizt. ministers 10 lb. per poll to maintain himself, clk. and sexton; muster master gen'l. 3 lb.; capt. of the fort and ten guards, 3 lb. Two lbs. to be raised next year, to build a new fort at Point Comfort and 2 lb. more to build a state house. (Page 226.)

ACT XVIII

PLACES to be paled in to bury the dead in. (Page 227.)

ACT XX

CHURCH wardens to present to monthly courts, and the court is to inflict punishments if within their cognizance. (Page 227.)

ACT XXV

CHISKIACK to be a parish. (Page 228.)

ACT XXXII

LAWNS Creek made a parish. (Page 229.)

AT A
GRAND ASSEMBLIE

HOLDEN AT JAMES CITY THE SECOND DAY OF MARCH, 1642-3

WHEREAS And for preventing all mistakes & pretenses, which may arise from misinterpretation or ignorance of the law's in force, It is therefore thought fitt, and accordingly enacted by the Governour, Council & Burgesses of this Grand Assembly and the authority acts and lawes of all former Assemblies be from repealed & made void. Such onely excepted, which are hereafter mentioned as followeth (vizt.)

ACT I

IN the first place Be it enacted for the advancement of God's glorie and the weale publique, that these orders & constitutions hereafter following concerninge the Church government be and remaine in full power, force & vertue.

That there be a vestrie held in each parish, for the makeing of the leavies and assessments for such uses as are requisite & necessary for the repairing of the churches, &c. and that there be yearly chosen two or more churchwardens in every parish.

That: That the most sufficient and selected men be chosen and joyned to the minister and churchwardens to be of that Vestrie.

That: That there be a yearly meeting of the ministers & churchwardens before the comander & com'rs. of every county court in nature of a visitation according to the orders & constitutions of the church of England, which is there usually held every yeare after Christma's. [sic]

That: That there be an oath administered to the churchwardens that they deliver in a true presentment in writing of such misdemeanors as to their knowledge have been comitted the year before, whilst they have been churchwardens, namely, swearing, prophaning God's name, and his holy Sabboths, abuseing his holy word and commandments, contemning his holy sacraments or any thing belonging to his service or worship.

That: If any person or persons of what degree or conditions soever shall abuse themselves with the high & foule offences of adultery, whoredome or fornication or with the loathsome sinne of drunkennes in the abuse of God's creatures, of those and every those to make a true presentment. (Page 240.)

That: That the littargie of the church of England for the administration of the word & sacrament, be duely performed according to the booke of common prayer, allowed by his Ma'tie & confirmed by consent of parliament.

That: That the churchwardens shall likewise at that time deliver upon their oaths a true account of all leavies, collections & disbursements as have been in their time concerning church affairs whereby all things concerning the same may be fairely carryed, And all collections so made to be paid by the churchwardens, according to the order for the ministers duties, & brought to the place appointed by the churchwardens for the time being.

That: That there be a true & perfect register kept in a booke & yearly presented at the said visitation of all weddings, christenings & burialls and that the clerke of every parish shall present to the commander of every monethly court a list of all weddings, christenings & burialls within their parish the present moneth.

That there be no marriage solemnized unless by a license under the signett from the Governour, or the banes lawfully published in the parish or parishes where both parties do inhabite.

That: That the said meeting or visitation be after the coming in of the new churchwardens & going out of the old, And that the old churchwardens be not discharged until they have given upp their presentment as aforesaid.

That: That there be a place sett out and allotted for the buriall of the dead in everie plantation according to the appointment of the commander & minister of the place.

That: That every minister have his clark and also sexton, for the keeping cleane of the churches, & other services in the absence of the ministers according to the canons of the church of England, & his or their meanes to be allowed by the parishoners.

That all freemen that are hired servants shall pay their own tithes and duties are to be collected per pol for the country service.

It is also enacted & confirmed, by the authority aforesaid that the vestrie of evrie parish with the allowance of the comander & com'rs. of the county living & resideing within the said parish, or the vestrie alone in case of their non residence shall from henceforward have power, to elect and make choyce of their ministers, And he or they so elected by the commander and comr's. or by the vestrie in case of non residence as aforesaid to be recommended and presented to the said comander and com'rs. or vestrie alone, to the Governour & so by him admitted, Provided that it shall be lawfull for the Governour for the time being to elect and admit such a minister as he shall allow of in James-Citty parish, And in any parish where the Governour & his successors shall have a plantation provided he or they enjoy not that privilege but in one parish where he or they have such a plantation, And upon the neglect or misbecomeing behaviour of the ministers, or any of them, compl't. thereof being made by the vestrie, The Governour & Council are requested so to proceed against such minister or ministers by suspension or other punishment as they shall think fitt & the offence require. Removeall of such ministers to be left to the Grand Assembly.

Be it further enacted and confirmed for the releife of diverse poore people that have been of very long continuance in the country, and are disabled to labor by reason of sickness, lamenes or age, The vestrie of everie parish are hereby enjoyned upon the complaint of such poor & unable persons to give them a certificate to the com'rs. of the county where such poore shall reside to testifie their poverty which shall free them from all publique charges except the ministers' & parish duties.

(To be Continued)