

№ 9. *An Act to prevent the Growth of Popery within this Province.*

BE it Enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of Her Majesty's Governor, Council, and Assembly of this Province, and the Authority of the same, That whatsoever Popish Bishop, Priest, or Jesuit, shall baptize any Child or Children, other than such who have Popish Parents, or shall say Mass, or exercise the Function of a Popish Bishop or Priest within this Province, or shall endeavour to persuade any of Her Majesty's Liege People of this Province, to embrace and be reconciled to the Church of *Rome*, and shall be thereof legally convict, shall forfeit the Sum of Fifty Pounds *Sterling* for every such Offence, the one Half thereof to our Sovereign Lady the Queen, Her Heirs and Successors, for the Support of the Government of this Province, and the other Half to him or them that will sue for the same, to be recovered in any Court of Record in this Province, by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, to be allowed: And shall also suffer Six Months Imprisonment of his or their Body or Bodies, without Bail or Mainprize.

AND be it further Enacted by and with the Advice, Consent, and Authority aforesaid, That if any Popish Bishop, Priest, or Jesuit, after such Conviction aforesaid, shall say Mass, or exercise any other Part of the Office or Function of a Popish Bishop or Priest, within this Province; or if any Papist, or Person making Profession of the Popish Religion, shall keep School, or take upon themselves the Education, Government, or Boarding of Youth in any Place within this Province, such Person or Persons being thereof lawfully convicted, that then every such Person shall, upon such Conviction, be transported out of this Province to the Kingdom of *England*, together with his Conviction, in order to his suffering such Pains and Penalties, as are provided by the Statute made in the Eleventh and Twelfth Years of the Reign of His late Majesty King *William* the Third, Intituled, *An Act for the further Preventing the Growth of Popery*.

AND to the End that the Protestant Children of Popish Parents may not in the Life-time of such their Parents, for want of fitting Maintenance, be necessitated, in Compliance with their Parents, to embrace the Popish Religion, contrary to their own Inclinations; Be it Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid, That from and after the End of this Session of Assembly, if any such Parent, in order to the compelling such his or her Protestant Child to change his or her Religion, shall refuse to allow such Child a fitting Maintenance, suitable to the Degree and Ability of such Parent, and to the Age and Education of such Child, then upon Complaint thereof made to the Governor of this Province, or the Keeper of the Great Seal, it shall be lawful for the said Governor, or Keeper of the Seal, to make such Order therein, as shall be agreeable to the Intent of this Act.

Pass'd October 3d, 1704.

Revis'd May 24th, 1714.