

159 83

Jon^a Weare Pl^t vs. Mesheuk Weare & Selectmen of
Hampton Falls Def^s. In an action of trespass for an
Illegal apportionment &c.
Some Pleas for the Def^s.

The Def^s were Selectmen properly chosen and
authorised to apportion the Inhabitants to the Support
of the Ministry.

* This proved by
the Depositions of
Mr. Fogg
Mr. Coffin &
Mr. Eastman

The Pl^t at the time of settling the Ministry
was not of a Different Perswasion, and afterwards
when he joined with Others and set up a Separate
Society it was not on a^ct of a Different Perswasion
in Matters of Religion but from some other
Motive * Therefore Countenancing such
Separations tends to Subvert the Design of the Law
which was to Establish a Solid foundation for
the Support of the Ministry for by the same rule
that one may be Excused, Every one that don't
like to pay may also.

The Matter Ought to be Consider'd as it Stood
at the first Separation, notwithstanding a
Different Perswasion may afterwards be
Pretended. - For 1st there is a great
Improbability that the After profession is
Conscientious and Genuine considering the force
of the temptation After having Separated
Out of Resentment, or any Other Motive
to Abide by it. * (2^d) The Proviso
in the Act may fairly be Construed (and Probably
was the Intent) to Extend only to such as were
of a Different Perswasion at the time of the
Settlement. For this way the Support of
the Ministry (which is the Express Design
of the Act) is Sufficiently Provided for
But Cannot be Upon the Other Supposition
that Every One is at liberty to withdraw
and set up Under a Different Denomination
and so be Excused from paying. Nor is there
any hardship in this. For Every One who
shall Alter his Religious Sentiments is at
liberty to ~~quit~~ Worship where he Pleases
but then he Ought to fulfill the Contract he
is first Under till that be Expired

This will appear
with full force
Against the Pl^t.
who gave it as a
Reason for Deno-
minating himself
a Presbyterian
that he could get
of no other way.
- Mr. Eastman's Deposition.

If after all it should be Supposed that
the Pl^t is now a Conscientious Presbyterian
yet he has not the Least Ground to Complain
of

Parish vote
for Proof

Petition to Genl.
afirm & Votes
thereon, for Proof

* Capt. Sanborn's
Deposition

x to be proved
by a witness
present

of Any hardships in the Present tax:
As the Parish have voted Liberty for Such
to go off as a Distinct Society in all Respects
Only paying their Taxes as usual till the
Should be so set off by the Genl. Court #
And the Genl. Court have given liberty
for the same # - And the Pla^t. was
present at the Parish meeting when the
vote was Pass'd Acknowledged it Reasonable
And fully As to his Own part Acquiesced in
* What then could the Selectmen judge but
that he meant to Comply with it And pay
his Taxes Agreeable to the vote
And Afterwards Expressly Promised that
if the Genl. Court Did not Order the tax
to be abated he would pay without Any
trouble x

24. 15.
State of 4th Arguments
Against Jon^r. Weare in his
Petition

John E. Sanborn & Co.
Not. Pub. & S. 71, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100