

# TRANSCRIPTION

## Act for Establishing Religious Freedom, January 16, 1786

General Assembly begun and held at the Public buildings in the City of Richmond on Monday the seventeenth day of October in the year of our Lord One thousand seven hundred and eighty five.

An Act to amend an Act entitled an act for clearing and improving the navigation of James River.

Whereas by the act entitled "an act for clearing and improving the navigation of James River" it is among other things provided that the first subscriptions should not exceed the sum of one hundred thousand dollars and that no toll should be demanded except in a particular case before the said river should be rendered capable of being navigated in dry seasons by vessels drawing one foot of water at least from the highest place practicable to the Great falls, and Whereas it hath been represented to the General Assembly that it may be necessary to extend the sum to be subscribed and to put the depth of the canals in the discretion of the Company, and the point to which the Navigation is directed to reach before the demand of the tolls, is by being too vague, a discouragement to adventurers: Be it therefore enacted by the General Assembly that it shall be lawful for the said Company at any general meeting to extend the shares so as not to exceed one hundred in addition to those already subscribed and to proportion the Depth of the water in the canals to the depth of water in the river in the dry season. And be it farther enacted that Crow's ferry at the mouth of Looney's Creek shall be forever taken and deemed to be the highest place practicable within the meaning of the above recited act.

And whereas it may be found expedient for the said Company to borrow money to answer the purposes of their institution; Be it farther enacted that it shall be lawful for the President and Directors to give an interest of six per centum upon all sums of money that shall be lent to them for the carrying on of the Work.

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ARCHIBALD CARY S. S.  
BENJ HARRISON SPHD

An Act to authorize the Election of certain Vestries

Whereas the members of the Protestant Episcopal Church residing in many parishes [*word erased*] within this Commonwealth have been prevented from carrying into Execution an act for incorporating the Protestant Episcopal Church within the period therein limited for the election of vestries, occasioned by the said law not having been sufficiently promulgated so as to enable the Members of the said church to proceed in the execution thereof. Be it therefore enacted by the General Assembly that Elections for vestrymen in manner prescribed by the said recited act shall be held in all such parishes on Monday in next Easter week if fair, if not, on the next fair day. And the said vestries when elected and qualified, shall have the same powers and authority, and be subject to the like rules and regulations as other vestries within this Commonwealth are by the said act entitled to, governed by, and vested with.

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ARCHIBALD CARY S. S.  
BENJ HARRISON SPHD

## An Act for establishing religious Freedom.

Whereas, Almighty God hath created the mind free; that all attempts to influence it by temporal punishments or burthens, or by civil incapacitations tend only to beget habits of hypocrisy and meanness, and are a departure from the plan of the holy author of our religion, who being Lord, both of body and mind yet chose not to propagate it by coercions on either, as was in his Almighty power to do, that the impious presumption of legislators and rulers, civil as well as ecclesiastical, who, being themselves but fallible and uninspired men have assumed dominion over the faith of others, setting up their own opinions and modes of thinking as the only true and infallible, and as such endeavouring to impose them on others, hath established and maintained false religions over the greatest part of the world and through all time; that to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves is sinful and tyrannical; that even the forcing him to support this or that teacher of his own religious persuasion is depriving him of the comfortable liberty of giving his contributions to the particular pastor, whose morals he would make his pattern, and whose powers he feels most persuasive to righteousness, and is withdrawing from the Ministry those temporary rewards, which, proceeding from an approbation of their personal conduct are an additional incitement to earnest and unremitting labours for the instruction of mankind; that our civil rights have no dependence on our religious opinions any more than our opinions in physics or geometry, that therefore the proscribing any citizen as unworthy the public confidence, by laying upon him an incapacity of being called to offices of trust and emolument, unless he profess or renounce this or that religious opinion, is depriving him injuriously of those privileges and advantages, to which, in common with his fellow citizens, he has a natural right, that it tends only to corrupt the principles of that very Religion it is meant to encourage, by bribing with a monopoly of worldly honours and emoluments those who will externally profess and conform to it; that though indeed, these are criminal who do not withstand such temptation, yet neither are those innocent who lay the bait in their way; that to suffer the civil magistrate to intrude his powers into the field of opinion and to restrain the profession or propagation of principles on supposition of their ill tendency is a dangerous fallacy which at once destroys all religious liberty because he being of course judge of that tendency will make his opinions the rule of judgment and approve or condemn the sentiments of others only as they shall square with or differ from his own; that it is time enough for the rightful purposes of civil government, for its officers to interfere when principles break out into overt acts against peace and good order; and finally, that Truth is great, and will prevail if left to herself, that she is the proper and sufficient antagonist to error, and has nothing to fear from the conflict, unless by human interposition disarmed of her natural weapons free argument and debate, errors ceasing to be dangerous when it is permitted freely to contradict them: Be it enacted by General Assembly that no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief, but that all men shall be free to profess, and by argument to maintain, their opinions in matters of Religion, and that the same shall in no wise diminish, enlarge or affect their civil capacities. And though we well know that this Assembly elected by the people for the ordinary purposes of Legislation only, have no power to restrain the acts of succeeding Assemblies

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constituted with powers equal to our own, and that therefore to declare this act irrevocable would be of no effect in law; yet we are free to declare, and do declare that the rights hereby asserted, are of the natural rights of mankind, and that if any act shall be hereafter passed to repeal the present or to narrow its operation, such act will be an infringement of natural right.

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ARCHIBALD CARY S.S.  
BENJ HARRISON SP HD

An Act for establishing an Inspection of Tobacco at Kinsale and discontinuing that at Rust's Warehouse and for other purposes.

Be it enacted by the General Assembly that the inspection of Tobacco at Rust's warehouse in the County of Westmoreland shall from and after the tenth day of February next be discontinued and thenceforth an Inspection of Tobacco shall be and the same is hereby established on the lands of Catesby Jones in the Town of Kinsale to be called and known by the name of Kinsale provided the said Jones shall build convenient houses at his own expence. The transfer notes issued by the inspectors thereof shall be payable for public dues in like manner as those of Rust's warehouse, and shall be under the same inspection with Yeocomico. And be it farther enacted that from and after the first day of October next the inspection of tobacco at Robert Bolling's warehouse shall be removed to and established on the lands of the proprietors thereof adjoining to Bolling's and Tab's Mill and that convenient and proper houses shall be built thereon at the Expence of the proprietors. The inspection of Tobacco at Shepherd's warehouse in the County of King and Queen shall be and the same is hereby revived and established for and during the term of two years. And be it farther enacted that the inspection of tobacco in the town of Suffolk is hereby revived and established the proprietors of the land being willing to rebuild convenient houses thereon; Provided always and be it farther enacted that if at the Expiration of two years from the passing of this Act the quantity of tobacco taken at Suffolk warehouse shall not be sufficient to pay the rents and Inspectors salaries, that thenceforth the said inspection shall be discontinued. There shall be allowed and paid annually to each of the inspectors at Shepherd's the sum of twenty five pounds, to each of the inspectors at Suffolk the sum of twenty five pounds, to each of the Inspectors at Petersburg warehouse the sum of eighty pounds and to each of the inspectors at John Bollings the sum of seventy pounds and no more: And whereas by an act of Assembly passed in May One thousand seven hundred and eighty three entitled "an Act to amend and reduce the several acts of Assembly for the inspection of Tobacco into one act" it is among other things declared and enacted "that in case any of the said Warehouses therein named shall not after the first day of October next and before the first day of October one thousand seven hundred and eighty five receive a sufficient quantity of tobacco to pay the inspectors salaries and rents of the warehouses the inspection of tobacco at such warehouses respectively shall [*word erased*] be thenceforth [*word erased*] discontinued unless the same shall be supported at private expence: Provided that this clause shall not extend to the discontinuance at one time of two or more warehouses which may be in the same County or County next adjacent, but in such cases that warehouse shall be discontinued to which the smaller quantity of tobacco may be bought in the years aforesaid" and it is judged expedient that the operation of the said Clause should be

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suspended Be it therefore enacted that the operation of the said clause shall be and the same is hereby suspended from and after the said first day of October last until the first day of October One thousand seven hundred and eighty seven.

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ARCHIBALD CARY S. S.  
BENJ HARRISON SPHD

Navigation of James River  
Kinsale warehouses  
Vestries  
Religious freedom

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