

№ 75. *An Act, to declare how the Forty Pounds of Tobacco per Poll, in such Parishes, where there is no Incumbent, shall be disposed of.*

WHEREAS by an Act of Assembly, made at a General Assembly, begun and held at the Port of *Annapolis* the Sixteenth Day of *March*, One thousand seven hundred and one, Intituled, *An Act for the Establishment of Religious Worship in this Province, according to the Church of England, and for the Maintenance of Ministers*; there is no Provision made, where there is a Vacancy, or no Incumbent in a Parish, how, or to what Use, the Forty Pounds of Tobacco *per Poll* shall be applied: Therefore the Burgesses and Delegates of this present General Assembly, pray that it may be Enacted; And be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of His Majesty's Governor, Council, and Assembly, of this Province, and the Authority of the same, That what Tobacco of the said Forty *per Poll* hath, is, or shall, become due in any Parish, where there is, hath, or shall be no Incumbent, the said Tobacco shall be imployed and applied to and for the Uses following; (That is to say) by the Vestry-men of each respective Parish, who are hereby impowered to dispose thereof, for and towards the Repairing such Churches as are already built, finishing and compleating the Infides thereof, as the said Vestry-men shall think fit, or for the purchasing a Pulpit-Cloth, Cushion, Bible, or Common Prayer-Book, or Church-Plate, for the Use of the said Church: And if any Vestry hath already applied or laid out the said Tobacco, or any Part thereof, to the Uses aforesaid, such Application or Disposal is hereby confirmed.

AND be it further Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid, That in any Parish, where the Church is old, or out of Repair, as not fit to be made use of, and shall be so adjudged by the Vestrymen of such Parish; it shall and may be lawful to and for such Vestrymen, to apply the said Forty Pounds of Tobacco *per Poll* for the Building a new one. And if it hath or shall so happen, by reason of a long Vacancy in such Parish, that there shall be no Occasion to apply the said Tobacco to the Uses aforesaid, or if any such Tobacco, after such Application, hath or shall remain in the Hands of the Vestry, the said Vestry are hereby directed and impowered to purchase therewith, either a Plantation, with a Tract of Land, or a certain Tract of Land, as near and contiguous to the Church, belonging to such Parish, as may be: And if there be no Church in such Parish, then to purchase a Tract of Land, as may be most convenient for the Inhabitants thereof, and build a Church thereon; which Plantation and Land shall be, and for ever remain, a Glebe to the Use of the Ministers of such Parish for the time being, who shall be lawfully inducted and appointed, according to the Usage of the Church of *England*, and this Province: And if there shall happen in any Parish to be Tobacco over and above answering the Uses aforesaid, it shall be imploy'd to the Improvement and Stocking such Glebe, as the Vestry shall judge most proper.

AND forasmuch as by the said recited Act there is nothing allowed to the Sheriff for Collecting the said Forty Pounds of Tobacco *per Poll*, and Paying the same to the Incumbents, or Vestry; Be it Enacted by the Authority aforesaid, That the Sheriff of each respective County shall have allowed him or them, out of the said Forty Pounds of Tobacco *per Poll*, which they shall pay to such Vestry, or Incumbent, Five Pounds of Tobacco *per Cent.* for collecting and paying the same, and no more; any Law, Statute, or Usage, to the contrary notwithstanding.

*Pass'd June 3d, 1715.*

*An*