

defendant was indebted to him, or had received, &c. Or the incumbent might recover on the sheriff's bond the tobacco or money, with legal interest.

C H A P.  
XXVIII.

For the safety of the sheriff, however, if he, or any other credible person, would make oath, at any time between the last of February and 10th of August, that he had been informed of any inhabitant of his county being about to abscond, or to remove his effects from his last place of residence, any justice might issue his warrant for the sheriff to execute the body or goods of such inhabitant, either for the money or the tobacco, as the case might require. And such warrant was to be executed without fee, provided the party did not give sufficient security to the sheriff.

But this act was not to influence the determination of the question respecting the validity of the 40 per poll law.

C H A P. XXIX.

An ACT for raising and applying money towards erecting and maintaining a light-house on Cape Henry.

**W**HEREAS his majesty's colony of Virginia, by act of the general assembly thereof, have granted a sum not exceeding six thousand pounds current money of the said colony, for the erecting and finishing a good and substantial light-house, at a convenient place on the head land of Cape Henry, and for purchasing and placing buoys on such shoals of the bay of Chesapeake as may be necessary, and also for placing and constantly keeping a light in the said house, and furnishing the same with proper necessaries, until the duty of four-pence per ton of the burthen of each ship or vessel, granted by the said act, shall amount to a sum sufficient to reimburse what of the said six thousand pounds shall be expended; and thereafter have granted a duty of one penny halfpenny per ton, for and towards the support of the said light-house: And as such light-house and buoys would be equally beneficial to the trade and navigation of this province, as to the trade and navigation of Virginia, it is reasonable that this province should join with Virginia in the expence thereof:

Preamble.

II. Be it therefore enacted, by the right honourable the lord proprietary, by and with the advice and consent of his governor, and the upper and lower houses of assembly, and the authority of the same, That the directors and managers for erecting and finishing the said light-house, or causing the same to be erected and finished, already appointed, or hereafter to be appointed, by act or acts of the general assembly of the said colony of Virginia, or such of them as are or shall be empowered by such act or acts of the said general assembly of Virginia, to lay out and expend the said six thousand pounds, or any part thereof, shall be, and are hereby empowered, for this province, to lay out and expend any sum or sums of money as shall be by them thought necessary, not exceeding three thousand six hundred pounds current money of Maryland in the whole, in and towards the expences of building and finishing the said light-house, purchasing and placing such buoys as aforesaid, and also placing and constantly keeping a light in the said house, and furnishing the same with proper necessaries, jointly with the money so granted by the colony of Virginia, and in proportion thereto as three bears to five; and at such time or times as they shall make any certificate or certificates to the governor or commander in chief of Virginia, whereon to obtain his warrant or warrants for the payment of any part of the money granted as aforesaid in Virginia, it shall and may be lawful for them to draw their order or orders, to such person or persons as they shall think proper, on the commissioners for emitting bills of credit, for the due proportion aforesaid of this province, all which orders the said commissioners are required to pay out of the monies herein after for that purpose appointed.

Managers appointed by Virginia empowered to act for this province, &c.

III. And be it further enacted, That the treasurers of the respective shores, on or before the tenth day of February next, shall respectively pay to the said commissioners all monies now in their hands belonging to the public of this province, over and above the sum of three hundred pounds current money, and shall from time to time, within two months after their receipt of any other such monies, which, with the money then in their hands, will exceed the sum of three hundred pounds current money, pay such excess to the said commissioners, until the said sum of three thousand six hundred pounds current money shall be by them fully paid into their hands; out of which monies to be paid by the treasurers to the commissioners aforesaid, the said commissioners shall pay the orders to be drawn

Treasurers to pay all monies to the commissioners, &c.