

tained, except what is hereby expressed, altered or supplied, shall be and remain in full force and virtue.

[Section XIV.] And be it further enacted by the authority aforesaid, That the act of general assembly of this province, entitled "An act directing the choice of inspectors and for holding the general elections in the counties of Lancaster, York, Cumberland, Berks and Northampton,"¹ shall be and is hereby declared to be repealed, null and void to all intents and purposes.

[Section XV.] And be it further enacted by the authority aforesaid, That this act shall continue in force for the term of seven years and from thence to the end of the next sitting of assembly and no longer.

Passed February 8, 1766. Referred for consideration by the King in Council, February 11, 1767, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXV, Section I, and the Acts of Assembly passed February 26, 1773, Chapter 683; June 14, 1777, Chapter 757. Repealed by the Act of Assembly passed September 13, 1785, Chapter 1175.

CHAPTER DXL.

A SUPPLEMENT TO THE ACT, ENTITLED "A SUPPLEMENT TO THE ACT, ENTITLED 'AN ACT FOR ERECTING A LIGHT-HOUSE AT THE MOUTH OF THE BAY OF DELAWARE, AT OR NEAR CAPE HENLOPEN, FOR PLACING AND FIXING BUOYS IN THE SAID BAY AND RIVER DELAWARE,' " &c.²

Whereas the commissioners appointed by the act, entitled "An act for erecting a light-house at the mouth of the bay of Delaware, at or near Cape Henlopen, for placing and fixing buoys in the said bay and river Delaware," &c.,³ have represented that the sums of money heretofore raised by way of lottery and borrowed by the said commissioners in pursuance of the directions of the act to which this act is a supplement are greatly

¹ Passed March 4, 1763, Chapter 489.

² Passed September 22, 1764, Chapter 515.

³ Passed September 30, 1763, Chapter 502.

deficient for effectuating and carrying into execution the purposes intended by the legislature of this province, and have requested that they may have power to borrow such a further sum of money as may enable them to perfect the salutary designs intended by the said recited act:

[Section I.] Be it therefore enacted by the Honorable John Penn, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and counties of Newcastle, Kent and Sussex upon Delaware, by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That it shall and may be lawful for any person or persons, bodies politic or corporate, to advance and lend to the said commissioners any sum or sums of money not exceeding in the whole the sum of two thousand pounds lawful money of Pennsylvania, which said sum of two thousand pounds, or so much thereof as they shall find necessary, the said commissioners are hereby authorized and empowered to borrow and receive for the uses, intents and purposes hereinafter mentioned. And the said lenders shall have and receive for the use and forbearance of their respective loans until the same shall be paid off and discharged, interest not exceeding six per cent. per annum; and that every such lender shall have and receive a note or certificate in writing of and for the sum lent, with the interest thereof, signed by the said commissioners, which note and certificate shall be registered in a book by them to be kept for that purpose; and that the said lenders shall be paid by the said commissioners yearly and every year the interest money arising on their respective loans, together with a proportionable part of the principal sum so lent out of the moneys arising by the duty of tonnage from time to time in virtue of this act until the whole principal sum or sums so borrowed, together with the interest thereof, shall be paid off and discharged.

[Section II.] And be it further enacted by the authority aforesaid, That all and every person and persons, bodies politic and corporate, to whom any money shall be due for loan by virtue of this act after the note or certificate shall be entered in the

book of registry as aforesaid, his, her or their executors, administrators, successors or assigns, by proper words of assignment to be indorsed on his, her or their certificate may assign, transfer and make over all his, her or their right, title or interest of, in or to such note or certificate to any other person or persons, bodies politic or corporate whatsoever, which assignment shall entitle such assignee or assignees, his, her or their executors, administrators, successors or assigns to the benefit thereof and payment thereon; and such assignee may, in like manner, again assign, and so *toties quoties*, and afterwards it shall not be in the power of such assignors who have made such assignment to make void, release or discharge the same or the moneys thereby due.

[Section III.] And be it further enacted by the authority aforesaid, That the said commissioners shall apply, appropriate and dispose of all and every the sum and sums of money borrowed as aforesaid for and towards the uses, intents and purposes mentioned and specified in the said act of general assembly, entitled "An act for erecting a light-house at the mouth of the bay of Delaware, at or near Cape Henlopen," &c.,¹ and to and for the maintenance and support of the light-house and buoys aforesaid, and to no other use or purpose whatsoever, and shall account for the same yearly, on or before the first day of September in every year; to and with the committees of assembly annually appointed for the settlement of the public accounts, to be by them laid before the assembly for their inspection and approbation.

And in order to insure and secure to the said lenders their respective sums of money so lent and advanced, with the interest thereon accruing:

[Section IV.] Be it enacted by the authority aforesaid, That there shall be laid, raised, collected and paid, after the sums of money heretofore borrowed by the said commissioners shall be discharged, a further duty of tonnage upon all ships and other vessels (shallops and other small vessels trading within the bay and river Delaware and along the coast as far as Sandy Hook to the eastward and Indian River to the southward only ex-

¹ Passed September 30, 1763, Chapter 502.

cepted): That is to say, for every ton of the burden or contents of all and every of the said ships or vessels, the sum of six pence per ton, which said duty of tonnage shall be laid, raised, collected and paid by the same persons respectively and in the same manner, under the same penalties, to be recovered in the same manner as the duty of tonnage mentioned in the act to which this act is a supplement is directed thereby to be laid, raised, collected and paid.

[Section V.] And be it further enacted by the authority aforesaid, That this act and the act to which this act is a supplement shall be and continue in full force and virtue for and during the space of eight years from and after the first day of November next ensuing the publication hereof and from thence to the end of the next sitting of assembly, unless it shall so happen that the said duties of tonnage so to be collected in pursuance of the directions of this act and the act to which this act is a supplement shall not be sufficient to pay and discharge the several sums of money directed to be borrowed by the said acts, together with the interest thereon, in which case this act and the act to which this act is a supplement shall continue in force until the duties shall be sufficient for that purpose; and in case a greater sum of money shall be raised within the time aforesaid more than sufficient for the purposes aforesaid then and in such case the surplus aforesaid shall be applied for and towards the supporting, maintaining and keeping in repair and use the light-house and buoys aforesaid in the best manner and so as to be of the most advantage to trade and navigation.

Passed February 8, 1766. Referred for consideration by the King in Council, February 11, 1767, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXV, Section I, and the note to the Act of Assembly passed September 30, 1763, Chapter 502. Expired.