

THE Justices of the County Court, where the Lands ly, are also impowered, upon complaint made them of trespassing on the Lands of the *Indians*, by falling, mauling and carrying away of Timber, without paying for it; and making the same appear by the Oath of one Evidence, to issue their Warrant to the Sheriff, for summoning a Jury of at least Eighteen Freeholders, on the Lands trespassed upon, and inquire by them of the Damage, and assess the same, summoning and swearing before them, all such Witnesses as may be required; and shall make return of their Verdict next Court thereafter; when the Court shall give Judgment, and issue Execution as above, the Party offending paying all the legal Fees, to the Officers and Jurors.

ANY two Justices, upon complaint made, and the same appearing to them, are impowered to go upon the Lands, view them, and issue their Warrant to the Sheriff, to put out summarily any Person entering upon or possessing any of the *Indian Lands*, without any legal Title, and to deliver peaceable Possession thereof to the said *Indians*; the Person offending shall pay each Justice *Sixty Four Pounds* of Tobacco, and also pay his legal Fees to the Sheriff.

PROVIDING always, that any Person, against whom Judgment is given in Virtue of this Act, shall have the Right of appealing to the Provincial Court, upon finding Security, as in other Cases; but no such Judgment shall be reversed for want of Judicial Process, or that the same was not tried by a Jury, if the Defendant was summoned, appeared and was not condemned unheard.

ACT requiring Masters of Vessels, to
publish the Rates of their Freight,
before they take any Tobacco on
Board.

Passed September }
5th, 1704. }

EVERY Master or Commander of a Ship or Vessel, shall before he takes any Tobacco on Board on Freight, publish in writing, by a Note under his Hand, (which he shall cause to be affixed on the Court House Door, of that County where his Vessel rides at Anchor) at what Rate he will receive Tobacco per Ton on Freight that Voyage, which Note the County Clerk shall enter on Record.

ANY Merchant or Inhabitant shipping Tobacco before such Note is affixed, shall forfeit such Tobacco so shipped or the Value; one half towards the Support of the Government, and the other to the Informer or the Person suing for the same; and the Master for every Hoghead so ship'd, shall forfeit and lose, towards the Uses aforesaid, *Twenty Shillings*.

THE Master shall also, under the Penalty of forfeiting *Forty Shillings* to be applied as above, send with any Sloop or small Craft he employs and sends to another County to fetch Tobacco, a Certificate under the County Clerks Hand, testifying the Rate of Freight.

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