

Acts of Assembly passed in May, 1751.

rant Officer or Officers, or his or their Order, upon Demand: And in case such Tobacco, or any Part thereof, as aforesaid, upon such View and Examination as aforesaid, shall not by such Inspectors or Inspector be passed, then such Tobacco, or such Part thereof as shall not pass Inspection as aforesaid, shall by such Inspectors or Inspector (after being by him or them weighed) be immediately burnt: And the said Warrant Officer or Officers shall have and receive, as a Reward for his or their Diligence in the Execution of this Clause of this present Act, after the Rate of one Shilling Current Money, for every hundred Pounds of Tobacco which shall be so taken and burnt as aforesaid; to be recovered either against the Person Owner of the said House, Vessel, or other Place, knowing the said Tobacco to have been there; or against the Person owning such Tobacco at the Time of such Seizure, by Warrant before a single Magistrate out of Court, with full Costs, and to be levied by Way of Execution against the Person, Goods, or Chattels of the Party so offending, by the like Authority.

*And be it likewise Enacted*, That where any Person or Persons whatsoever, shall discover under Carriage, any trashy or unmerchantable Tobacco, he or they so discovering shall be, and they are hereby authorized and required to stop and seize such trashy or unmerchantable Tobacco, then and there found, and the same shall convey, or shall direct and require the Party or Parties so carrying the same as aforesaid, to carry such Tobacco to the next or any other convenient Inspecting-House; and that such Party or Parties refusing to carry the same, shall forfeit and pay, after the Rate of fifty Shillings Current Money, for every hundred Weight of such Tobacco upon every such Refusal; to be recovered as the Case as aforesaid may require, before a single Magistrate, or in the County Court, by Action of Debt, Presentment, or Information; the one half whereof to him or them, that shall sue or inform concerning the same, and the other half to the Use of the County, where such Offence shall be committed, to be applied towards defraying the Charge of Inspection as aforesaid: And in Case neither of the Inspectors attending that House, shall happen to be present, then the said Person stopping and seizing the said Tobacco, is hereby directed to summons one or both of the Inspectors immediately to attend at such Warehouse to receive and secure the same, and the Inspector or Inspectors so attending, shall search, view, and examine the same, and proceed in such Case, in like Manner as he or they are directed, with Regard to trashy or unmerchantable Tobacco, which shall be found in any Tobacco House, Storehouse, Warehouse, Barn, or other Outhouse, Ship or other Vessel, Inclosure or other Place whatsoever, not burthening the Party who carries the same, or the Owner thereof with any Charge for Carriage; and then after such Inspection made as aforesaid, the Person or Persons so stopping and seizing such Tobacco, shall immediately repair to some Magistrate, and inform him, that he hath seized and secured such Tobacco in Manner aforesaid; and the Magistrate shall and he is hereby authorized and required to proceed therein, with respect to the fining or binding over (as the Case shall require) such Offender or Offenders; and he, she, or they so offending, shall be liable to the same Penalties, and be under the same Mode of Prosecution for the Recovery thereof, as is before directed by this Act. *Provided always*, That in all Cases where any such Tobacco under Carriage shall be seized and carried to any Inspection-House as aforesaid, if the Person or Persons carrying or claiming the same, shall prove by his, her, or their own Oath, or Affirmation if a Quaker, or the Oath or Oaths, or Affirmation if a Quaker, of any other credible Person (which Oath or Affirmation any

Magistrate

All seized Tobacco, which will not pass Inspection, to be burnt,

Trashy Tobacco under Carriage to be seized.

Penalty on refusing to carry such Tobacco to the next Inspection House.

Duty of Inspectors on receiving such Tobacco.

Duty of Magistrates in such Case.