

an opportunity or conveniency doth not offer to the Creditor to Dispose thereof they do frequently Refuse neglect and Delay to receive the said Tobacco in discharge of the Debts whereby the Debtor remains in Debt & the tobacco by him procured to pay the said Debts remains in his hands Subject to all Casualties on the Debtors accompt & w<sup>ch</sup> he dares not make use of for fear of his Creditors demanding and suing after for the Debt: for remedy whereof for the Future

Lib. L. L.  
No. 64.

Be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with the Advice and Consent of her Maj<sup>ty</sup>s Govern<sup>r</sup> Councill and Assembly of this province and the Authority of the same that any pson or psons whatsoever inhabiting within this province and now being or that hereafter shall be indebted to any merchant or others either resident in or trading to this province that hath tobacco ready according to the nature of the Debt he owes and is willing to pay the same and hath offered it to his Creditor his factor or Atturney and by him or them refused neglected or Delayed to be received as afd. It shall & may be lawfull to and for such Debtor or Debtors at any time between the first Day of November and the last day of March in every year dureing the Continuance of this Act and at no other times to repaire to the next Justice of peace and there before him upon making oath of such tob<sup>o</sup> being already tendered and neglected refused or delayed to be received as afd the said Justice shall and is hereby Enjoyned impowered and required to appoint two Sufficient psons of the neighbourhood (not being of kin Either to the Debtor or Creditor) where such Debtor shall Dwell to view Search and Looock upon such tob<sup>o</sup> so ready to be paid in Discharge of the Debt and tendered as afd w<sup>ch</sup> two psons so appointed shall take their oaths to be administered by the Justice afd well and truly to try & Examine into the matter afd & make report thereof to the Justice afd and if upon viewing the same it be found that the tobacco afd be Clean Sound and Merchantable and fit to be paid in Discharge of the Debt afd they shall and are hereby Impowered & Authorized to make the said Tob<sup>o</sup> in hogsheads upon the head and Bulge for such Creditor as afd and weigh the same and Signify the neat weight thereof unto the justice afd w<sup>ch</sup> tobacco so tendered neglected or refused viewed marked and weighed as afd shall for ever after be Esteemed and taken as the pper goods and Tobacco of the Creditor and in absolute Discharge of the Debt afd or of so much thereof as the same tobacco shall weigh (provided that Each hogshead weighs five hund<sup>d</sup> neat or upward) and because many Contracts bills and bonds may be of Different natures and Circumstances. It is hereby further Declared and Enacted that upon every such viewing as aforesaid the Creditor his

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