

Bacon other Time, to repair to the next Justice of Peace, and there before him, upon making Oath of such Tobacco being already tendered, and neglected, refused or delayed to be received, the said Justice shall, and is hereby impowered and required to appoint two sufficient Persons, being Freeholders in the Neighbourhood, (not being of Kin either to the Debtor or Creditor) where such Debtor shall dwell, to view, search and look upon such Tobacco so ready to be paid in Discharge of the Debt, and tendered as aforesaid: Which two Persons so appointed shall take their Oaths, to be administered by the Justice aforesaid; well and truly to try and examine into the Matter aforesaid, and make Report to the Justice aforesaid. And if upon viewing the same, it be found that the Tobacco aforesaid is clean, sound and merchantable, and fit to be paid in Discharge of the Debt aforesaid, they shall, and are hereby authorized and impowered to mark the said Tobacco in Hogsheads upon the Head and Bulge, for such Creditor as aforesaid, and weigh the same, and signify the neat Weight thereof unto the Justice aforesaid. Which Tobacco, so tendered, and refused to be received, being viewed, marked and weighed as aforesaid, shall for ever after be esteemed and taken as the proper Goods and Tobacco of the Creditor, and in absolute Discharge of the Debt aforesaid, or of so much thereof as the same Tobacco shall weigh. Provided, each Hogshead weighs Five Hundred neat, or upwards.

III. And because many Contracts, Bills and Bonds may be of different Nature and Circumstances, It is hereby further Declared and Enacted, That upon every such Viewing as aforesaid, the Creditor, his Factor or Attorney, shall have Notice thereof by the said Debtor, and if he do not come to the Place, and make known, by shewing the Contract or Obligation, the Circumstances or Nature of the Contract or Obligation, if the Tobacco viewed as aforesaid, be clean from Trash, sound and merchantable, it shall be marked and weighed in Discharge of such Debt, be the same of what Nature soever. And the Person in whose Houses the Tobacco lies, or shall lie, shall take Care of and preserve the same for one whole Year, as they are obliged to do Tobacco actually received by any Creditor, Merchant or others; any Law, Statute, or Usage to the contrary notwithstanding.

IV. And be it further Enacted, by the Authority, Advice and Consent aforesaid, That if any Debtor who hath tendered Tobacco to his Creditor, which is in very good Condition, clear of all manner of Trash, according to the tenor of the Specialty aforesaid, and well packed in good seasoned Hogsheads, and which Hogsheads of Tobacco contain Five Hundred Pounds of neat Tobacco, at the least, and which the