

case such Hogshead or Hogsheads be not found to exceed the Gauge aforesaid, then such Mark of Seizure shall be struck out by such Justice, or other Officer aforesaid, and the Seizure be thereby released. But in case any Person or Persons whatsoever shall have Sight of any Hogshead or Hogsheads of Tobacco, that he or they shall suspect to exceed the Gauge aforesaid, it shall and may, in such case, be lawful for such Person or Persons immediately to Seize and Mark the same as aforesaid, although no such Justice or other Officer, as aforesaid, be present; of which Seizure such Informer shall forthwith give Information to some Justice, or other Officer aforesaid, living or residing in the County where such Hogshead or Hogsheads shall be so Marked or Seized, who shall be by this Act obliged to go with such Informer to view and examine the Gauge of such Hogshead or Hogsheads, as aforesaid, and shall in all Things proceed to the Viewing, Examination or Condemnation of such Hogshead or Hogsheads of Tobacco, after the same Manner and to the Uses aforesaid, or to the releasing the Seizure thereof, as herein before directed; and every such Informer or Seizer shall pay to the Justice, or other Officer aforesaid, making such View or Condemnation aforesaid, the Sum of Ten Shillings current Money, for every such Hogshead that such Justice or Officer shall be requested to view or examine, by such Informer, whether the Hogshead or Hogsheads so viewed, be condemned or not; to be recovered according to Act of Assembly of this Province, For speedy Recovery of small Debts out of Court, before a single Justice.

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And be it further Enacted, That in case any of the Justices of the County-Courts, any Sheriff, Coroner or Vestry-Man, or Churchwarden, who upon Application made by any Informer, shall without lawful Excuse or Impediment refuse or delay to perform what is required of them by this Act, the Justice or Officer so refusing shall forfeit and pay the Sum of Fifteen Shillings current Money, for every Hogshead so by him refused to be viewed, to the Use of such Informer; to be recovered as last before-mentioned.

And be it further Enacted, by the Authority, Advice and Consent aforesaid, That no Person or Persons whatsoever, after such Hogshead or Hogsheads of Tobacco, marked with the broad Arrow aforesaid, and before View thereof by any Officer as aforesaid, shall presume to remove, alter or change any Hogshead so marked as aforesaid, or the Tobacco therein, so as to avoid the Justice of this Act, nor after View and Condemnation in manner aforesaid, shall presume to alter or change or in any wise meddle with such condemned Hogshead or Hogsheads of Tobacco, without Leave or License from such Informer, under the Penalty and Forfeiture for every Hogshead of Tobacco so removed, altered or changed, as aforesaid, the Sum of Twelve Hundred Pounds of Tobacco, to the Use of such Informer; to be recovered in any County Court within