

Session
Laws Person who shall inform or seize such Tobacco; to be recovered by Action of Debt, in the County Court where the Offence shall be committed, in the Name of such Informer; wherein no Essoin, Protection, or Wager of Law, shall be allowed.

And Be It Further Enacted, That if any Dispute shall happen, concerning such Tobacco being of the Growth of Virginia, or concerning the Duty being paid there, the Onus Probandi shall lie on Defendant or Importer.

And Be It Likewise Enacted, That all Justices, Sheriffs, and other His Lordship's Officers, shall be aiding and assisting to every Person, seizing or discovering any such Tobacco; and that it shall and may be lawful, for any Justice of the Peace within this Province, upon Complaint or Information, of the Importation of any Tobacco from Virginia, contrary to the Tenor of this Act, to issue his Warrant to any Constable, or other Person to be by him especially appointed for the Execution thereof, to apprehend any Person or Persons, who shall be charged or accused, to be an Importer or Importers of Tobacco, contrary to this Act; which Constable or other Person so to be appointed, shall and may, by Virtue of such Warrant, and by Force of this Act, apprehend and arrest such Person or Persons, charged or accused of being an Importer or Importers, and carry him, her, or them, before the Justice issuing such Warrant; and if needful, to require the Aid and Assistance of such and so many Persons, as may be necessary for that Purpose; which Person or Persons so required, shall aid and assist such Constable or other Person accordingly, on Penalty of forfeiting Twenty Shillings current Money each.

And Be It Further Enacted, That every Justice before whom any such Person or Persons shall be brought, as an Importer or Importers of Tobacco, contrary to this Act, if such Justice finds Cause to suspect, that he, she, or they, so to be brought, shall have transgressed this Act, then and in such Case, the Justices shall take sufficient Security, for the Appearance of such Person or Persons, at the next County Court, to be held for the County where the Offence shall be supposed to be committed; and in Default of such Security, shall commit such Person or Persons, to the Sheriff of the County, who shall by Virtue of such Commitment, and by Force of this Act, receive into, and keep in his Custody, such Person or Persons, until the next County Court, unless such Person or Persons shall give sufficient Security or Bail, for his, her, or their Appearance.

And Be It Further Enacted, That the Plaintiff, or Informer, may
p. 23 declare against such Person or Persons, as present in Court, or as in Custody of the Sheriff, without any other previous Process, besides such Warrant and Commitment as aforesaid; and that no Variance, between such Warrant or Commitment, and any Declaration, shall be pleadable in Abatement or in Bar, nor any Advantage taken for want of issuing any Writ or Process, at the Suit of the Plaintiff or