

L. H. J.
Liber No. 48
July 7

And the Officers aforesaid, hereby appointed to collect and receive the said Duties shall, and are hereby impowered, upon Suspicion of Fraud or Deceit by any Importer, Owner, or Proprietor of any such Liquors, in concealing and not making due Entry of the same, to go and enter on board such Ship or Vessel, or into any Warehouse or other Out-House, where such Liquors may be put or placed, and view and examine the same; and if upon such Examination, it shall appear to the said Officer, that the said Importer or Owner of any such Liquors hath not made due Entry of the same, or hath acted or done any Thing contrary to the true Intent of this Act, to seize and bring on Shore, or secure all such Liquors so imported, for which the Duties aforesaid are not duty paid; and after Condemnation of such Liquors, and public Notice given thereof for five Days after such Condemnation; it shall and may be lawful to and for such Officer, and he is hereby directed and required to sell a Moiety of such Liquors, so as aforesaid seized and condemned, at public Auction, to the highest Bidder, and the Money arising on such Sale to pay to the Commissioners of the Loan-Office for the Use of this Act. And that the said Officers and their Deputies, or any of them, shall and may freely stay and remain on board until such Liquors shall be delivered and discharged out of the said Ship or Vessel: And all Sheriffs, Constables, and other Officers of this Province, are hereby required and enjoined to be aiding and assisting to such Naval Officers and their Deputies, in discharging of their Duty aforesaid, for all which the said Officers and Others assisting them, shall, by Virtue of this Act, be saved and kept harmless; and if any Action or Suit shall be commenced against such Officers or Others assisting to put this Act in Execution, it shall and may be lawful for such Officers and Others to plead thereto the General Issue, and give this Act and the special Matter therein in Evidence; any Law or Custom to the contrary notwithstanding. And in Case any Action or Suit shall be commenced, and prosecuted against any Person or Persons importing any such Liquors as aforesaid, for any Fine or Forfeiture arising by this Act, the Court before whom such Suit shall be commenced and prosecuted, shall, at their Discretion, rule the said Defendant or Defendants, to give good and sufficient Bail to such Suit, and for want thereof, shall and may commit the said Defendant or Defendants to the Custody of the Sheriff of the County, there to remain until he or they shall comply therewith: And if Judgment on such Suit shall be given against the said Defendant or Defendants, the Court before whom the said Judgment shall be rendered, shall commit the said Defendant or Defendants until he or they shall pay unto the Naval Officer aforesaid the Moiety of the Forfeiture aforesaid, hereby directed to be applied to the Uses in this Act mentioned.

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And be it further Enacted, That all Masters of Ships and other Vessels, and Others importing Servants into this Province by Land