

joined and required to be aiding and assisting to such Naval Officers, and their Deputies, in Discharge of their Duty aforesaid; 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 thereof notwithstanding. And in Case any Action or Suit shall be commenced and prosecuted against any Person or Persons importing, or bringing into this Province, any such Wine, Molasses or Sugar, 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, to be applied to the Use in this Act mentioned.

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

And be it further Enacted, That the Officers aforesaid, hereby directed to seize any such Wine, Molasses and Sugars, and are hereby impowered and directed, after the same have been legally condemned, and public Notice thereof given five Days, to sell one Moiety of all such Wine, Molasses and Sugars, so as aforesaid seized and condemned, at public Auction, to the highest Bidder, and the Money arising on such Sale, to pay unto the Commissioners of the Loan Office aforesaid, to and for the Uses and Purposes in this Act mentioned, and the other Moiety of the said Wine, Molasses and Sugar, so seized and condemned, shall belong to the Person or Persons seizing the same.

And be it further Enacted, That all Sheriffs, Coroners, Deputy-Sheriffs and Constables, in their several Counties and Hundreds in this Province, are hereby strictly enjoined and required to make Information, to some Justice of their respective Counties, of any such Wine, Molasses or Sugar, which they shall know to be imported or brought into this Province, either by Land or Water, which have not been duly entered, and the Duties thereof paid, or secured to be paid, or secured to be paid, according to the Directions of this Act: And if any Sheriff, Coroner, Deputy-Sheriff or Constable, shall know of any such Wine, Molasses or Sugar, to be imported or brought into this Province by Land or Water, which have not been entered, and the Duties thereof paid, or secured to be paid, according

p. 147