

C H A P.
XVIII.

and applied.

In what Case
the whole
shall go to
the County.

recovered, where the Penalty shall not exceed Six Hundred Pounds of Tobacco, before a single Magistrate, as in case of small Debts, and where such Penalty shall exceed the said Sum, then and in such Case to be recovered in the County Court where such Offence shall happen, or the Party resides, by Action of Debt, Bill, Plaint, or Information, wherein no Effoin, Protection, Wager of Law, or more than one Imparlance shall be allowed; one Moiety of such Penalty to the Informer, or him, her, or them that shall sue for the same, together with his, her, or their legal Allowance for Attendance as an Evidence, and the other Moiety to and for the Use of the County where such Offence shall be committed, towards defraying the Charge of such County, in the Execution of this Act; and where such Penalty shall arise by Prosecution upon Indictment, if the Informer shall not upon Conviction, make his Claim (and which Claim when made, shall be entered upon the Clerk's Docket) to the Moiety in open Court, then and in such Case, the Whole of such Penalty shall be to and for the Use of the County where such Offence shall be committed, to be applied towards defraying the Charge of Inspection as aforesaid.

Buyer or Seller, informing against the other, to be indemnified, &c.

and rewarded.

Penalty how to be recovered.

CXXXII. And for the further discovering and punishing so pernicious a Practice, **Be it likewise Enacted,** That if either Parties, Offenders as aforesaid, shall make such Information against the other Party or Parties, so as aforesaid offending, and shall prosecute such other Party or Parties, so that he she, or they, be of the Offences aforesaid, or either of them, lawfully convicted, to which Purpose, any or either of the Parties aforesaid, are hereby **enacted and declared** to be good and sufficient Evidence, such Person, so as aforesaid informing and prosecuting, shall not only be indemnified and saved harmless from any Prosecution for the said Offence, but shall also be entitled to have and receive the same Rewards allowed as aforesaid, and shall have and receive, as a further Encouragement, the further Sum of Two Pounds of Tobacco for every Pound of such Tobacco, to his sole and separate Use, to be recovered, where the Penalty shall not exceed Six Hundred Pounds of Tobacco, before a single Magistrate, as in case of small Debts, to be made a Part of the Judgment of such Magistrate, and where such Penalty shall exceed the said Sum, then and in such Case, to be recovered in the County Court where such Offence shall so happen, or the Party resides, by Action of Debt, Bill, Plaint, Information, or Indictment, to his sole and separate Use, as aforesaid, to be made a Part of the Judgment of the Court upon such Conviction against such Offender.

Magistrates on Information of Trashy Tobacco, may grant Warrant to search and enter Places suspected,

CXXXIII. And be it further **Enacted,** That as often as any Magistrate shall be informed, by any credible Person, on Oath, or Affirmation if a Quaker, that he suspects, and verily believes, some trashy or unmerchantable Tobacco is, or shall be, in any particular Tobacco-house, Store-house, Warehouse, Barn, or other Out-house, Ship, or other Vessel, Inclosure, or other Place whatsoever, it shall and may be lawful to and for such Magistrate, and he is hereby authorized and required, immediately upon such Information as aforesaid, either to raise and compel Assistance, and to proceed himself, or by Warrant under his Hand and Seal, directed to such Informer singly, or with Others jointly and severally, or to any other Person or Persons, jointly and severally, thereby authorizing and directing him or them to compel Assistance, and to proceed forthwith to such, or any other such suspected Place as aforesaid, and there quietly enter it, (except such House or Place be on the Plantation where such trashy or unmerchantable Tobacco shall appear by the Oath, or Affirmation if a Quaker, of the Owner, or of any other credible Person, to have been made, or on some other Plantation belonging to such Person who made such Tobacco; and also except Inspecting Houses, and other Houses used by Inspectors, for the convenient carrying on and Execution of this Act,) if the Person having the Care of such Place be present, and will immediately permit such Entry; or if the Party having the Care of such Place,