

**T**obacco due unto them from several persons in this Province, who for satisfaction of their said debts have paid away and delivered to their several creditors several quantitys and hogheads of Tobacco, and such hoghead or hogheads of Tobacco have been received marked and nailed by such Merchants or others trading into or residing within this Province as aforesaid, & thereupon the said creditors have delivered up unto their said debtors their Bills or other Specialtys given for security of the said debts, or otherwise the said debtors have procured releases and discharges for the said debts. Yet notwithstanding afterwards the Sherrif of such County upon pretence of publick debt due from the said persons debtors have seized the said creditors Tobacco so received, marked and nailed as aforesaid and lay in the said debtors tobacco houses, and by that means the said creditors are left without remedy for recovery of the said debt again to the great discouragement of trade and prejudice of such creditors, for prevention whereof for the future the Delegates of this present General Assembly do pray that it may be enacted,

And **BE IT ENACTED** by the Kings most Excellent Majesty by and with the Advice and Consent of this present General Assembly and the Authority of the same, that any person or persons whatsoever Merchants or others within this Province, that have at any time within twelve months last past receiv'd mark and nailed, or for the future shall receive, mark or nail any hoghead or hogheads of tobacco within this Province of any person or persons debtors within the same, and which hath been paid and delivered to them for satisfaction of their said debts and such Merchant or others have upon receipt, marking and nailing such hoghead or hogheads of tobacco delivered up their Bills or other security to their respective debtors of their said debts, or if the said Merchants or others have given releases or discharges to their said debtors of the said debt & that before the said Merchant or others could remove the said hoghead or hogheads of tobacco from the said debtors tobacco houses, if any Sherrif shall come and seize such tobacco so marked and nailed as aforesaid, that then and in every such case, if the party refuse to make & give to the said creditors some other full satisfaction for their said debts, it shall and may be lawful for any two of his Majestys Justices of the respective Counties within this Province upon due proof thereof made before them of the said debt and Sherrifs seizure as aforesaid, and the party debtor refusing to make that full satisfaction to their Creditors for their said debts at the said Creditors request to award him execution with Cost, such Cost not exceeding one hundred pounds of Tobacco against the Body Goods and Chattels of such debtor, to be executed by the Sherrif for satisfaction of the creditors said debt and cost as aforesaid, in as full and ample manner as if the debt was recovered by due course of Law.

And be it further Enacted by the Authority aforesaid, that no Sherrif, under Sherrif or Deputy that seize any tobacco unstrip, nor seize or mark any merchant or other tobacco received marked and nailed as aforesaid for any cause whatsoever but only for Levys, and the several Sherrifs are hereby impowered to break the doors of any tobacco house or other houses where tobacco is or shall be secured with design to prevent the said Sherrif from seizing such tobacco for publick levys and any Sherrif seizing and marking any hoghead or hogheads of tobacco containing more than what is justly due to the publick for Levys, without making satisfaction to the person whom such tobacco doth belong, as by giving credit, or buying him so take the overplus out of such hoghead of tobacco, at the choice of the party paying or owing the same, shall pay for every such default the sum of ten shillings in pounds of tobacco, one half to his Majesty for support of Government, the other half to the party grieved, to be recovered in any Court of Law within this Province by Action of Debt Bill Plaint or Information, whereunto all such Protections or Writs of Law to be allowed.

And be it further Enacted that any time any Sherrif shall seize any hoghead of tobacco which shall exceed more than such Levy or Levys shall amount unto, that the same shall be due to the party or parties from whom they shall receive such Levy or Levys be the greater quantity, then and in every such case the said Sherrif or Sherrifs shall take out of the said hoghead such quantity or quantity of tobacco due to him for such Levy or levys, and the said hoghead as a whole remaining out of the tobacco shall be and remain with the party or parties paying the same, and if the remaining part of such hoghead of tobacco so seized as aforesaid and belonging to the party or parties paying the same shall be the less quantity