

C H A P.
XVIII.

Penalty for
taking To-
bacco on
board in
Bulk, viz.
On the Skip-
per of any
Sloop or
Boat,

on Masters of
Ships,

on Servants
or Slaves em-
ployed in
Boats, &c.

on the Skip-
per, if a Ser-
vant, and not
able to pay.

On the Ow-
ner of such
convicted
Skipper, if
again trusted
with the Care
of his Boat.

Proviso, in
regard to To-
bacco carry-
ing by Water
to Inspecting-
houses, &c.

IV. And forasmuch as the permitting Tobacco in Bulk or Parcels to be Water-born, on Pretence of being carried to the Warehouses established by this Act, may give great Opportunity to the clandestine Running the same on board the Ships lying at or near the said Warehouses, whereby the Evil of Exporting trash Tobacco may be still continued; **Be it further Enacted, by the Authority aforesaid,** That if any Person, taking upon himself to carry any Tobacco to or from any of the said Warehouses, in his Sloop, Boat, or other Vessel, for Hire, shall presume to take on board, or permit or suffer to be taken on board, any Tobacco whatsoever, in Bulk or Parcels, such Tobacco shall not only be forfeited, and may be seized by any Person or Persons whatsoever; but such Master or Skipper offending herein shall forfeit and pay Two Hundred and Forty Pounds of Tobacco for every Hundred Pounds weight of such Tobacco, and so proportionably for a greater or lesser Quantity: And the Master or Commander of any Ship or Vessel wherein any Tobacco in Bulk or Parcels shall be found, shall, over and above the Forfeiture thereof, be liable to the same Penalty: To be recovered, if it doth not exceed Twelve Hundred Pounds of Tobacco, before any Three Justices of the Peace, of any County near the Place where such Ship, Sloop, Boat, or other Vessel shall lie; and if it exceeds Twelve Hundred Pounds of Tobacco, in any Court of Record, by Action of Debt, wherein the Plaintiff shall recover Costs. And every Servant, Slave, or other Person, employed in Navigating any such Sloop, Boat, or other Vessel, who shall connive at, or conceal, the taking or receiving on board any Tobacco in Bulk or Parcel as aforesaid, shall, by Order of any one Justice, receive on his bare Back, Thirty-nine Lashes, well laid on: And if such Sloop, Boat, or other Vessel, be under the Care and Management of a Servant who cannot satisfy and pay the said Penalty, then such Servant, and every other Person employed under him, who shall be guilty of conniving at, or concealing, the taking on board Tobacco in Bulk or Parcel as aforesaid, shall, upon Complaint thereof made to any Justice of the Peace, have and receive, by Order of the said Justice, Thirty-nine Lashes, well laid on. And if such Servant shall be again trusted with the Care and Management of any Sloop, Boat, or other Vessel, and shall be convicted a second Time of taking or receiving on board the same, any Tobacco in Bulk or Parcel, contrary to the Directions of this Act, the Owner of such Servant shall forfeit and pay the like Sum of Two Hundred and Forty Pounds of Tobacco for every Hundred Pounds weight of such Tobacco, and so in Proportion for a greater or less Quantity, so taken or received on board in Bulk or Parcel; and shall also forfeit and pay Sixty Pounds of Tobacco for every Day such Servant shall thereafter be employed as Skipper or Master of any Sloop, Boat, or other Vessel, to him belonging: To be recovered and applied as aforesaid.

V. **Provided always,** That nothing herein before contained, shall be construed to prohibit any Person from carrying, or causing to be carried, to the said Warehouses, in any Boat, or other Vessel, any Tobacco in Bulk or Parcels, for the Payment of his or her Levies, Debts, or other Duties; nor to prohibit any Person to put or take on board any Sloop, Boat, or other Vessel, any Hogheads, Casks or Cases of Tobacco, to be Water-born to any Warehouse or Warehouses appointed by this Act, so as the same be not carried out of the Naval Officer's District wherein the said Tobacco shall be made; nor to prohibit the Owner of any Tobacco to transport his Crops, or any Part thereof, in Hogheads, Casks or Cases, from one Place to another, for the better handling and managing thereof; nor any Purchaser of Tobacco from bringing the same by Water to be re-packed, sorted, stemmed, or prized, before the same be carried to the said Warehouses, so as such last-mentioned Tobacco be packed in Hogheads, Casks or Cases.

VI. **And be it further Enacted,** That if the Skipper of any Sloop, Boat, or other Vessel, or other Person or Persons to whom the Care and Manage-
ment