

## TOBACCO TRASHY.

also be entitled to receive the Reward allowed as aforesaid: And as a farther Encouragement, shall receive the further Sum of 2<sup>lb</sup> Tobacco for every Pound of such Tobacco to his own Use: To be recovered, if not exceeding 600<sup>lb</sup> Tobacco, before a Single Magistrate; but if above that Sum, then in the County Court, to his sole and separate Use; to be made a Part of the Judgment of the Court, upon Conviction of such Offender. *Ibid.* §. 132.

3. Any Magistrate (being informed on Oath, &c.) shall either raise and compel Assistance, and proceed himself, or by Warrant under his Hand to the Informer, singly, or with other Persons, &c. authorize and direct such Person or Persons, to compel Assistance, and proceed directly to the suspected Place, and quietly to enter, (except such House or Place be on the Plantation where the Trashy Tobacco shall appear upon Oath to have been made, or in some other Plantation belonging to the Maker of such Tobacco, and except Inspecting-houses, &c.) if permitted. And, if the Person having Care of such Place, be not present, or if present, and refusing Admittance, then forcibly to enter, and search for, and carry away, not only the Tobacco particularly searched for, but all other Trashy Tobacco there found, to the next Inspecting-house. And if neither of the Inspectors happen to be present, then the said Magistrate, or Warrant-Officer, shall summon one or both Inspectors immediately to attend; who shall view, &c. the said Tobacco, and if the same, or any considerable Proportion thereof, appear to be such as Inspectors by this Act are required to pass, then the same, or such Part thereof, shall be treated, &c. as other Tobacco by them passed, is by this Act directed; the Owner of such Tobacco paying the Warrant-Officers at the Rate of 8<sup>lb</sup> for every 100<sup>lb</sup> Tobacco so passed, for carrying the same to such Inspecting-house. Which Rate the Inspectors shall receive of the Claimant, before they permit the Tobacco to be taken out of the Inspecting-house; and which, after Receipt thereof, the said Inspectors shall pay on Demand to the said Warrant-Officers, or their Order. And in case such Tobacco, or any Part thereof, shall, on View, be condemned by the Inspectors, then shall the same (being first weighed,) be immediately burnt by the Inspectors. And the Warrant-Officers shall have a Reward of 8<sup>lb</sup> Tobacco for every 100<sup>lb</sup> so burnt; to be recovered, either against the Owner of the House, Vessel, or other Place, knowing the said Tobacco to have been there, or against the Owner of the Tobacco at the Time of Seizure, before a single Magistrate, with full Costs, to be levied by way of Execution, &c. *Ibid.* §. 133.

4. Any Person, discovering trashy Tobacco under Carriage, may stop and seize the same, and convey, or require the Parties to carry the same, to the next or other convenient Inspecting-house. And such Party refusing to carry the same, shall forfeit 400<sup>lb</sup> for every 100<sup>lb</sup> of such Tobacco, upon every such Refusal; to be recovered, as the Case may require, before a single Magistrate or in the County Court: One Half to the Person suing or informing, and the other Half to the County Charge. And if neither of the Inspectors be present, then shall the Party stopping, &c. the Tobacco, summon one or both to attend; who shall view, &c. the same, and proceed in such case as they are directed with regard to Trashy Tobacco found, &c. (*see the preceding Art.*) not burthening the Party who carries the same, or the Owner thereof, with any Charge for Carriage. And after such Inspection, the Person so stopping, &c. shall repair to some Magistrate, and inform him that he hath seized and secured such Tobacco in Manner aforesaid. And the Magistrate shall proceed therein, with respect to the Fining and Binding over (as the Case shall require) such Offenders; and such Offenders shall be liable to the same Penalties, and be under the same Mode of Prosecution for Recovery thereof as before directed. *Ibid.* §. 134.

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5. But if the Owner of such Tobacco so seized under Carriage, and carried to any Inspecting-house, shall prove by Oath, &c. taken before a Magistrate, that the same was then carrying to be Inspected at some public Warehouse, pursuant to this Act; such Owner, &c. shall be thereby exempted from the Penalties, other than the Loss or Burning of the Trashy Tobacco. *Ibid.* §. 135.

6. Any Person removing Tobacco so stopped, &c. as aforesaid (other than the Person seizing the same, or others by his Order) or who shall rescue or attempt to rescue such Tobacco, shall forfeit 2400<sup>lb</sup> Tobacco for every Hogshead or Parcel so removed or rescued, &c. to be recovered in the County Court, for the Use of the Person making such Seizure. *Ibid.* §. 136.

7. Persons Sued, &c. for any Thing done in Execution of this Act, may plead the General Issue, &c. And in case of Non-suit, Discontinuance of Action, or Verdict against the Plaintiff or Informer, the Defendant shall be acquitted, and recover treble Costs. *Ibid.* §. 137.

8. Informations in pursuance of this Act shall be made within Three Months after the Offence committed, and not after. *Ibid.* §. 138.

See *Tobacco Run*, 6, 8.

## TOLERATION.

The Toleration Act of 1<sup>W.</sup> and *M.* with all the Penal Acts therein mentioned, declared to be in Force within this Province. 1706, *ch.* 8.

See *Dissenters*.

TOLL. See *Annapolis*, 15. *Water-Mills*, 5.

TONNAGE. See *Governor*, 1. *Port Duties*, 1.

## TOWN-LANDS.

1. The Titles of all Persons to Town-Lands taken up, paid for, (or Payment tendered,) built upon, and improved under the Laws of 1683, *ch.* 5; 1684, *ch.* 2; 1686, *ch.* 2; and 1694, *ch.* 8; notwithstanding any Repeals of the said Acts, are confirmed. 1715, *ch.* 32, §. 1, 2.

2. The Titles of all Persons to Lots, taken up and built upon, according to the Directions of the Acts of 1706, *ch.* 14; 1707, *ch.* 16; and 1708, *ch.* 3; during the Continuance of the said Acts, are confirmed, notwithstanding the Disallowance of the said Acts by her late Majesty, *Q. Anne.* *Ibid.* §. 4.

3. Lots, assigned to the Use of any Community, paid for, and built upon, according to the said Acts, before her Majesty's Disallowance was notified, shall remain to such Community. *Ibid.* §. 8.

4. The Rights of Persons who have begun to build upon Lots, tho' not finished according to the said Town-Laws, are confirmed. *Ibid.* §. 9.

TRANSFER TOBACCO. See *Inspectors*, 20—23, 30, 33, 36, 38—40.

TREASON. See *Advancement of Justice*, 2.

TREASURERS. See *Bacon*, &c. 2. *Gold and Silver*, 2. *Intestates Estates*, 5. *Letters Public*, 3. *Liquors Imported*, 13. *Negroes*, 36, 42, 45. *Pitch, Tar and Pork*, per Tot. *Public Charges*, 6, 7. *Schools*, 28, 37, 40.

TREES. See *Bridges*, 2. *Highways*, 11—13. *Indians Lands*, 13. *Water-Mills*, 2.

TRESPASS. See *Guardians*, 22. *Indians Lands*, 13, 16, 17.

TROVER AND CONVERSION. See *Special Bail*, 10.

## TROOPERS.

1. A Captain of Horse in each County shall Inlist his Troop out of the Inhabitants, according to Instructions from the Governor, or the Colonel of the County. 1715, *ch.* 43, §. 3.

2. Such Troopers shall ride their own Horses; which shall be good, serviceable, and fit to pass Muster: And shall also find themselves Furniture, Swords, Carbines.