

An Act for Securing Merchants and others Tobacco, after they have received it, and the Declaring the altering the Mark or Quality thereof, to be *Felony*, and against false packing.

BE it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of his Majesty's Governour, Council and Assembly of this Province and the Authority of the same, That from and after the Publication hereof, every House-keeper and Inhabitant within this Province, having a Plantation, whereon he maketh or causes to be made any Tobacco, shall build and erect or otherwise fit up and make ready a good tight House, with a good Door, Lock and Key, upon every Plantation where such Tobacco is made, as aforesaid, and sufficient to contain the Tobacco made on every Plantation.

Every Planter to provide a good tight House with Lock and Key.

And be it further Enacted by the Authority aforesaid, That every Inhabitant or House-keeper, as aforesaid, having a Plantation whereon he maketh, or causeth to be made, any Tobacco, as aforesaid, and that shall pay away and dispose of any Tobacco to any Merchant, Master of Ship, Saylor or any other Person whatsoever, shall notwithstanding such Disposal or Payment, secure and keep the said Tobacco as he would do his own proper Goods, for and during the space of one whole Year, Commencing from the Time the Tobacco was received, as aforesaid; and if any Tobacco so received as aforesaid, for want of such House, as aforesaid, should be damaged or stolen, the Person neglecting to provide such House shall make Satisfaction to the Party that received the same.

Wherein he is obliged to keep Tobacco received as he would his own for a twelve Month at his own risque.

Provided always, that nothing in this Act contained shall be construed, meant or Intended to make any Inhabitant or House-keeper liable to any Damage which shall or may happen, to any Tobacco so left with him to keep secure, through any other Casualty whatsoever.

Exception

And be it Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid, That any Person or Persons whatsoever Merchants or others, within this Province, that have at any time within Twelve Months last past, received, markt or 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 for Satisfaction to them of their said Debts, and such Merchants 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, and that before the said Merchant or others could remove the said Hoghead or Hogheads of Tobacco from the said Debtors Tobacco-House, if any Sheriff 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 and give to the said Creditor some other full satisfaction for their said Debts, it shall and may be lawful for any two of his Majesty's Justices of the respective Counties within this Province, upon due Proof thereof, made before them, of the said Debts, and Sheriffs Seizure, as aforesaid, and the Party

In case the Sheriff seize Tobacco received, the Creditors remedy to enforce repayment from his Debtor.