

iameter in the Bulge, on any Accident or Pretence whatsoever, *Thirty Six Inches* being Supposed a Competent Gauge) to call to his Assistance any Justice of the Peace, Sheriff, Coroner, Vestry-Man or Church-Warden living or residing within the County where such Tobacco shall be suspected, known or discovered, and to enter into any House, Warehouse, Ship, Boat or other Vessel, and therein, In the Presence of such Justice, or other Officer aforesaid, (who are hereby required to be present, aiding and assisting to such Informer therein) to Seize and Mark with the broad Arrow every such Hogshead or Hogsheads of Tobacco, as such Informer shall request such Justice, or other Officer to View on Suspicion of exceeding the Gauge aforesaid; And also That such Justice, or other Officer, shall on request of such Informer and is hereby required to proceed in such Manner as he shall think most proper to examine the Gauge thereof, so as no Hogshead or Hogsheads of Tobacco stowed away on Board any Ship or other Sea-Vessel, shall, on such Information be unstowed, unless such Hogshead or Hogsheads appear in View; and if upon such Examination, any Hogshead or Hogsheads shall be found by such Justice, or other Officer aforesaid, to exceed the Gauge aforesaid, it shall and may be lawful then, and not otherwise, for such Justice, or other Officer, immediately to Condemn the same to the Use of such Informer, who shall thereupon be immediately Vested with the Property thereof, and may convert the same to his own Use accordingly; and the Judgment of such Justice, or other Officer therein, shall be final; but in case such Hogshead or Hogsheads be not found to exceed the Gauge aforesaid, then such Mark of Seizure shall be struck out by such Justice, or other Officer aforesaid, and the Seizure be thereby released. But in case any Person or Persons whatsoever shall have sight of any Hogshead or Hogsheads of Tobacco, that he or they shall suspect to exceed the Gauge aforesaid, it shall and may, in such case, be Lawful for such Person or Persons immediately to seize and Mark the same as aforesaid, although no such Justice or other Officer, as aforesaid, be present; of which Seizure such Informer shall forthwith give Information to some Justice, or other Officer aforesaid, living or residing in the County where such Hogshead or Hogsheads shall be so marked or seized, who shall be by this Act obliged to go with such Informer to view and examine the Gauge of such Hogshead or Hogsheads, as aforesaid, and shall in all things proceed to the Viewing, Examination or Condemnation of such Hogshead or Hogsheads of Tobacco, after the same manner and to the Uses aforesaid, or to the releasing the Seizure thereof, as herein before directed; and every such Informer or Seizer shall pay to the Justice, or other Officer aforesaid, making such View or Condemnation aforesaid, the Sum of *Ten Shillings* Current Money, for every such Hogshead that such Justice or Officer shall be requested to View or Examine, by such Informer, whether the Hogshead or Hogsheads so viewed be condemned or not, to be recovered according to Act of Assembly of this Province for speedy Recovery of Small Debts out of Court, before *sa ngle* Justice.

How to be Seized

How the Gauge to be Examined.

How the Hogshead to be Condemned, or Released.

How to proceed on Suspicion.

Seizer to pay ten Shillings to the Magistrates.

Officer Neglecting how to be punished

And be it further Enacted, That in case any of the Justices of the County-Courts, any Sheriff, Coroner or Vestry-man, or Church-Warden, who upon Application made by any Informer, shall without Lawful excuse or Impediment refuse or delay to perform what is required of them by this Act, the Justice or Officer so refusing shall forfeit and pay the Sum of *Fifteen Shillings* current Money, for every Hogshead so

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by