

tend to the Ruin of such Traders as were strict Observers of it, the Generality of our Tobacco being of so light and chaffy a Nature, that it has been found wholly impracticable and in a manner impossible to pack or prize so much of it in a Hoghead of the late Gauge of Thirty Inches in the Diameter of the Head, as would suffice for the Payment of Freight, and other Charges arising thereon, the Freighters of such small Hogheads having been frequently brought in Debt by the Smallness of the Quantity of Tobacco contained therein, to the great Damage of the Tobacco Trade, particularly of the fair Traders therein, which seem in a Manner to have brought the latest of the afore-mentioned Laws into a general Disuse, it being rather more Mischievous to the Freighters to be brought in Debt by their strict Observance of that Gauge, than to loose their Tobacco heretofore exceeding it. For Remedy whereof for the Future,

*Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governour, and the Upper and Lower Houses of Assembly, and by the Authority of the same, That from and after the End of this present Sessions, it shall and may be lawful for any Person or Persons whatsoever, suspecting, discovering or knowing of any Hoghead or Hogheads of Tobacco that shall exceed Forty Eight Inches in the Stave, or Thirty Two Inches in the Diameter of the Head within the Croze, or that shall exceed Thirty Seven Inches Diameter 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, Ware-house, 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 Hoghead or Hogheads 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 Hoghead or Hogheads of Tobacco stowed away on Board any Ship or other Sea-Vessel, shall, on such Information be unstowed, unless such Hoghead or Hogheads appear in View; and if upon such Examination, any Hoghead or Hogheads 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 Hoghead or Hogheads 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 Hoghead or Hogheads 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*

Hogheads exceeding the Gauge.

How to be Sized.

How the Gauge to be Examined.

How the Hoghead to be Condemned or Released.

How to proceed on Suspicion:

Seize