

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 Hoghead or Hogheads 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 Hoghead or Hogheads, as aforesaid, and shall in all Things proceed to the Viewing, Examination or Condemnation of such Hoghead or Hogheads 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 Hoghead that such Justice or Officer shall be requested to view or examine, by such Informer, whether the Hoghead or Hogheads 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 a single Justice.*

Seizer to pay Ten Shillings to the Magistrates.

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 Hoghead so by him refused to be viewed, to the Use of such Informer; to be recovered as last before-mentioned.

Officer neglecting, how to be punished.

And be it further Enacted, by the Authority, Advice and Consent aforesaid, That no Person or Persons whatsoever, after such Hoghead or Hogheads of Tobacco, marked with the broad Arrow aforesaid, and before View thereof by any Officer as aforesaid, shall presume to remove, alter or change any Hoghead so marked as aforesaid, or the Tobacco therein, so as to avoid the Justice of this Act, nor after View and Condemnation in manner aforesaid, shall presume to alter or change or in any wise meddle with such condemned Hoghead or Hogheads of Tobacco, without Leave or License from such Informer, under the Penalty and Forfeiture for every Hoghead of Tobacco so removed, altered or changed, as aforesaid, the Sum of Twelve Hundred Pounds of Tobacco, to the Use of such Informer; to be recovered in any County Court within this Province, by Action of Debt, Bill, Plaint or Information, wherein no Essoyn, Protection or Wager of Law to be allowed.

None to remove, nor alter the Mark of Tobacco Seized.

Penalty.

And be it further Enacted, That if any Person or Persons shall after the End of this Sessions of Assembly, pay, or tender to pay, any packed Hoghead of Tobacco, whereon the full Weight of the empty Hoghead within Five Pounds, is not cut or marked upon the Bulge of such Hoghead, and be thereof Convict in manner aforesaid, he or they so Convict, as aforesaid, shall forfeit for every such Hoghead or Hogheads not having the Weight set thereon, as aforesaid, the Sum of Six Hundred Pounds of Tobacco, the One Half thereof to the Right Honourable the Lord Proprietary, his Heirs and Successors, towards the defraying the Charge of the County where such Offence shall be committed, the other Half to the Informer, or to him or them that shall sue for the same; to be recovered in such County-Court, by Action of Debt, Bill, Plaint or Information,

Weight of empty Hoghead to be marked upon the Bulge of such Hoghead.