

shall forfeit 100l. sterling to the party grieved, and suffer six months imprisonment without bail, &c. and also remain in prison, as in execution, till the said sum be satisfied, if able to pay: If not, then to remain in prison one whole year, without bail, &c. and the party grieved shall have action of trespass, &c. for recovery of damages against the offender.—1744, c. 5, § 2.

2. Persons wilfully burning tobacco belonging to others, or any tobacco house having tobacco therein, and their aiders and abettors, shall suffer death as felons without benefit of clergy.—*ibid.* § 3. See *House-breaking*, 3.

TOBACCO UNMERCHANTABLE.

1. IF any tobacco offered for inspection shall, after picking, repacking, and finally determining on the same, be in the judgment of the inspector or inspectors unmerchantable, it shall be consumed by fire in the presence and under the directions of him or them; and any inspector refusing to do the same, or who shall wilfully or negligently permit such tobacco to be taken out of the inspection house to which he is appointed, shall forfeit for every such offence 20l. current money, and be discharged from his said office, and never after be qualified as such.—1789, c. 26, § 65.

2. The inspector or inspectors are required to burn all unmerchantable and trash tobacco which may be brought and offered for inspection in parcels of any kind, and no person shall be allowed to carry away the said tobacco after having offered it for inspection under the penalty of 5l. to be recovered on information on oath before a single magistrate, for the use of the informer.—1790, c. 55, § 5. See *Inspectors*, 17. *Tobacco inspected*, 5.

T R E A S O N,

2, 3. NO law to attain particular persons of treason or felony, ought to be made in any case, or at any time hereafter. *Decl.* 16. There ought to be no forfeiture of estate for any crime except murder, or treason against the state, and then only on conviction and attainder.—*ibid.* 24.

4. No person shall be tried for any treason or misprison of treason against this state, unless the indictment be found within three years after the offence committed; and no person shall be convicted by a petit jury of either of the said crimes, unless by the oath of two lawful witnesses to prove each separate and distinct fact charged in the indictment as treason or misprison of treason, except the prisoner willingly confess the same in open court.—*Oct.* 1777, c. 20, § 29.

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