

# An Act for relief of debtors and ascertaining the manner of tender in tobacco.

Whereas several honest persons within this province being indebted in Tobacco to divers persons merchants and others and well disposed to pay the same taking care therefore by providing the tobacco but often times it so happens that because an opportunity or convenience doth not offer to the Creditor to dispose thereof they do frequently refuse neglect and delay to receive the said tobacco in discharge of the debts whereby the debtor remains in debt and the tobacco by him procured to pay the said debts remains in his hands subject to all Casualty on the debtors account and which he dares not make use of for fear of his Creditors demanding & suing after for the debt, for remedy whereof for the future

It is Enacted by the Queens most Excellent Majesty with the advice and Consent of her majestys Prudent Council & Assembly of this province and the authority of the Same that any person or persons whatsoever inhabiting within this province and now being or that hereafter shall be indebted to any Merchant or other either resident in or trading to this province that hath tobacco ready according to the nature of the debt he owes and is willing to pay the same and hath offered it to his Creditor his factor or attorney and by him or them refused neglected or delayed to be received as aforesaid shall and may be Lawfull to and for such Debtor or debtors at any time between the first day of November and the last day of March in every year during the Continuance of this act and at no other time to repair to the next Justice of peace and there before him upon making oath of such tobacco being already tendered and neglected refused or delayed to be received the said Justice shall and is hereby Impowered and required to appoint two Justices being freeholders in the neighborhood (not being of kin either to the debtor or Creditor) where such debtor shall dwell to view Search and look upon such tobacco so ready to be paid in discharge of the debt and tendered as aforesaid which two persons so appointed shall take their Oaths to be administered by the Justice aforesaid & truly to try & examine into the matter aforesaid and make Report to the Justice aforesaid and if upon viewing the same it be found that the tobacco aforesaid is Clean sound and merchantable and fitt to be paid in discharge of the debt aforesaid, they shall and are hereby authorized and Impowered to mark the said tobacco in Hoop staves upon the head and bulge for such Creditor as aforesaid and weigh the same