

43) the Same before the Last Day of March next shall forfeit for every time they shall be convicted thereof the Sum of One thousand Pounds of Tobaccos to be recovered and applyed as hereafter is provided.

AND be it further ENACTED by the Authority aforesaid that it shall and may be lawfull for any person or persons whatsoever that shall discover any Tobacco or Tobaccos that are not truly qualified according to the true intent meaning and Explanation of the aforesaid Act that was not bona fide paid away and received before the tenth Day of October last past to Seize and Mark the Same be it in Hogsheads bulks or other package. PROVIDED such person or persons so seizing and marking such Tobacco or Tobaccos shall within three Days after such seizure make information to a Justice of the Provinciaall or County Court (where such seizure shall be made) of such seizure by him or them made the which Justice of the Provinciaall or County Court as often as information shall be made unto him is hereby fully Authorized and strictly required within three Days to repair with such Informer to the house or houses where such Tobacco or Tobaccos hath been so seized as aforesaid and the said Tobaccos shall carefully view and Examine and Judgment give thereon, the which Tobacco if duly qualified according to the true intent and meaning of this Law shall by him be released from such seizure, but if adjudged unqualified as aforesaid such Justice shall cause the Same to be burnt or otherwise destroyed in his presence as to him shall seem meet and the Owner of such Tobacco or Tobaccos shall suffer and incur such penalties as is prescribed in the aforesaid Act against the makers packers or payers away of Tobaccos not ^{duly} qualified as aforesaid and if at any time it shall so happen that the Owner or Owners of any such Tobaccos so seized as aforesaid shall after the seizure thereof pay convey away give or conceal the Same so as such Justice cannot have view of the Same in all and every such case or cases the informer or Informers making oath before such Justice to the number of Hogsheads, Bulks, or other Package or parcels of Tobacco so seized, the Owners of the Tobaccos aforesaid shall be thereby convicted and suffer such penalties and forfeitures as aforesaid.

PROVIDED nevertheless that if any Justice of the Provinciaall or County Courts to whom such information shall be made as aforesaid cannot within the time limited as aforesaid in his proper person (with such informer) repair to view such Tobacco or Tobaccos so seized in all and every such case or cases it shall and may be lawfull for such Justice, and he is hereby ^{required and} enjoyned ~~and~~ ^{required} to issue his Warrant thereby empowering and commanding some substantiall and knowing Freeholder inhabiting in the County where such seizure hath been made to go within the time limited with such Informer or Informers to such House or Houses where such Tobacco or Tobaccos hath been so seized and to view and Examine the Same and to make Report upon oath to such Justice of the Quality of such Tobacco by him viewed and Examined who upon such report may and shall

(proceed)