

(542) Proceed to make such Judgement thereon as if the Said Tobaccos had been
viewed and Examined by himself and if such Tobacco or Tobaccos shall be
condemned the Justice is hereby obliged to destroy or Order the Same to be destroyed
in his Presence as before provided and in case of a removal of such Tobacco
or Tobaccos after Seizure as if the Justice shall proceed to give the Same
Judgment thereon as of Right should have been given had he viewed and
Examined the Same and adjudged it unqualified, and the Said Justice is
obliged to see the Same destroyed as abovesaid, and every Justice or the person
by him empowered to View Tobacco as aforesaid that shall suspect any trashy
or unqualified Tobaccos to be lodged or concealed in any Tobacco house
or dwelling Houses belonging to any person or persons whatsoever, to prevent
the Same being destroyed as before, It shall and may be lawfull for the
Said Justice or the person by him appointed and the Said Justice or person
so appointed is hereby Authorized and required to enter into any Houses
or Suspected places whatsoever and diligent Search and enquiry make
after such unqualified Tobacco, and if any such be found to destroy as
aforesaid, and the person or persons in whose Custody or Houses any such Tobacco
unqualified, shall be found, shall forfeit and pay the Same penalties
prescribed by this Act for persons paying or tendering to be paid or Ships
any unqualified Tobacco or Tobaccos adjudged by the above recited Act.

And be it further ENACTED by the Authority Advice and Con-
sent that where any person or persons by him, her, or themselves or others
shall give away to any other person whatsoever any trashy or bad Tobacco
such person or persons so giving away as well as the person receiving and
taking the Same, shall for every pound of such unqualified Tobacco given
away and received as aforesaid, forfeit and pay twelve pence, Such offence to be
proved by the Oath of one Suff^r Evidence before a Single Justice, either
of the City or County Court who is hereby on Conviction as aforesaid empowered
required to Issue forthwith his precept under his hand and Seal directed
to the Sheriff of the County to Levy such forfeiture either on the Body Goods
or Chattells of the Offender to be applyed to the uses hereafter mentioned.
And in case such Offender have not Sufficent to Satisfie such forfeiture
then the Justice before whom such conviction shall have been shall
may inflict or award, him, her, or them such Corporall Punishment by
Whipping, as to him Seems meet not exceeding thirty Nine Lashes for
any one Offence. es &

And be it further ENACTED by the Authority Advice and Consent
that every person or persons freighting shipping or consigning upon
his her or their proper Account or Risk, or upon the Account or Risk of
any other person whatsoever to any Merchant or other in Great
Brittain or elsewhere any Hoghead or Hogheads of Tobacco from of
his her or their plantation or plantations (being thereon made)
other than what is or are agreeable and qualified according to the
true intent and meaning of this Explanatory Law, shall upon
Conviction in manner and form as aforesaid forfeit and incur double
the fines forfeitures and penalties aforesaid and imposed hereby on
persons packing up and tendering to pay away unqualified Tobacco
to be applyed as herein after Expressed.