

LVIII. And be it further Enacted, That all Sheriffs, Under-Sheriffs, and Constables, who shall be in Office on the Thirtieth Day of November, One Thousand Seven Hundred and Sixty-three, at the first Court to be held for their respective Counties after the said Thirtieth Day of November, shall take an Oath, *That if they shall at any Time, know, or be credibly informed, or have good Reason to suspect, that any Tobacco is pressed, or packed, in any Cask, Case, Chest, or other Package whatsoever, or any Tobacco is put on board any Boat, or Vessel, in order to be shipped off, without being Inspected, or that any Tobacco is carrying, or carried, out of this Province, either by Land or Water, into the Colony of Virginia, or the Province of Pennsylvania, or the Three Lower Counties on Delaware, called New-Castle, Kent, and Sussex, or the reputed Limits of the said Province or Counties, as now settled by Inhabitants, or to any other Ports or Places whatsoever, out of this Province, without a Permit for so doing, they will forthwith make Information, and a particular Discovery thereof, to the next Justice of the Peace of the County where such Tobacco shall be.* And that all Sheriffs and Under-Sheriffs respectively, which shall after the said Thirtieth Day of November be Appointed or Sworn into the said Offices, shall, at the Time of their being Sworn, take the same Oath, and obtain a Certificate thereof; and every such Officer failing so to do, shall forfeit Eight Hundred Pounds of Tobacco to the Informer, to be recovered with Costs, by Action of Debt or Information, in any Court of Record within this Province. And every Inspector and Constable shall take the same Oath, or Affirmation if a Quaker, at the first Court held for the County where he resides, or at the same Court if Sworn at the County Court, after he shall be Sworn into his Office, under the like Penalty.

C H A P.
I.
An Oath to be taken, by Sheriffs, Constables, and Inspectors.

The Oath.

Penalty for not taking the Oath.

LIX. And be it likewise Enacted, That any Justice of the Peace of any County, near the Place where any Ship, Sloop, Boat, or other Vessel, shall ride, upon Application to him made by any Person suspecting any Tobacco in Bulk or Parcel, Hoghead or Hogheads, to be laden on board such Ship, Sloop, Boat, or other Vessel, contrary to the Directions of this Act, such Justice shall, and he is hereby impowered and required to issue his Warrant, directed to the Sheriff, or any Constable of his County, and the Sheriff, or Constable, shall have full Power and Authority, and he is hereby required to enter and go on board such Ship, Sloop, Boat, or other Vessel, to search for and seize such Tobacco; and the same being seized, shall be brought on Shore, and carried before the same, or any other Justice, who shall cause the same to be immediately weighed, and if trashy or bad, immediately burnt, if good, carried to the Inspecting-House, there to be Inspected, and sold for the Use of the County. And if any Master, Owner, or commanding Officer, of any Ship or Vessel, or the Skipper of any Sloop, Boat, or other Vessel, or any other Person whatsoever, shall resist the Officer in the Execution of any such Warrant, every such Master, Owner or commanding Officer, shall forfeit and pay Eight Thousand Pounds of Tobacco, and every such Skipper, Sailor, or other Person so resisting, shall forfeit and pay Three Thousand Two Hundred Pounds of Tobacco; which Forfeitures shall be recovered in any Court of Record of this Province, by Action of Debt, Bill, Complaint, or Information, wherein no Effoin, Protection, or Wager of Law, nor more than one Imparlance shall be allowed; one Half thereof to the Informer, the other Half to be applied to the several and respective Counties to defray the Expence that hath or may accrue in the due Execution of this Act. And if any Action shall be brought against any Justice of the Peace, Sheriff, Under-Sheriff, or Constable, or other Officer appointed by this Act, for doing any Thing in the Execution of this Act, the Defendant may plead the General Issue, and give this Act in Evidence, and if the Plaintiff shall be Nonsuit, or a Judgment pass against him upon a Verdict or Demurrer, the Defendant shall recover double Costs.

Justices to issue Warrants for searching suspected Vessels.

Masters or Skippers resisting, to be fined 8000^{lb} and the Sailors each 3200^{lb} of Tobacco.