

CXXXVII. And be it further Enacted, That if any Person or Persons shall be Sued, Prosecuted, or Impleaded, for any Matter or Thing by him, her, or them done, pursuant to and in execution of this Act, such Person or Persons so Sued, Prosecuted or Impleaded, shall be at Liberty to plead the General Issue, and give this Act and the special Matter in Evidence, and if the Plaintiff or Informer shall be Non-suit, discontinue his Suit, or a Verdict be had against him, then, and in either of these Cases, the Defendant or Defendants shall not only be acquit thereof, but shall by Judgment recover against such Plaintiff or Informer treble Costs.

C H A P.
I.
Persons Sued
for any thing
done by vir-
tue of this
Act.

CXXXVIII. Provided always, and it is hereby Enacted and Declared, That every Information to be made, in pursuance of this Act, shall be made within three Months next after the Offence committed, and not after.

Informations
to be made in
3 Months.

CXXXIX. And be it further Enacted, That no Master or Commander of any Ship or other Vessel, taking Tobacco on Freight, shall remove or transport any Freight-Tobacco from any Warehouse, in order to be put on board his Ship or Vessel, in any open Boaf or undecked Vessel, without such good and sufficient Covering as will secure such Tobacco against Rain, under Penalty of Sixteen Hundred Pounds of Tobacco for every Offence, to be recovered in any Court of Record in this Province, by Action of Debt, Bill of Indictment, or Information, one Half thereof to the Informer, the other Half to the defraying the Charges of putting this Law in Execution.

Freight-To-
bacco not to
be carried in
open Boats.

false

CXL. And whereas the Inhabitants of *Frederick* County, above *Connegocheague* Creek, are Farmers, and are so far distant from any Justice of the Peace, that the Trouble and Charge attending the making Oath, or Affirmation, as to their not being Tobacco-makers, as herein before directed, lays them under unreasonable Hardships, in obtaining the Benefit intended them by this Act, in paying Money in lieu of Tobacco: Be it therefore Enacted, That the said Inhabitants in *Frederick* County, above *Connegocheague* Creek, shall, and may, make the Oath or Affirmation aforesaid, before either a Justice of the Peace of the said County, or the Sheriff, or any of his Deputies, a Certificate of the making of which Oath or Affirmation, signed both by the Person taking, and the Person making the same, being delivered to the Sheriff or his Deputy, such Sheriff or Deputy shall give a Receipt for the same, to the Person making such Oath or Affirmation.

Farmers in
Frederick
County.

CXLI. And whereas in many Places Warehouse Room is much wanted, and Wharfs, Cranes, and other Conveniencies required by Law to be Provided, are either not built, erected, and found, or are much out of repair; Be it therefore Enacted, That the Justices and Inspectors of each respective County, shall meet at the Court House of such County, on the second Tuesday of *December* yearly, if fair Weather (if not, on the next fair Day) under the Penalty of Eight Hundred Pounds of Tobacco each, at which said Meeting it shall be determined by a majority of the Justices then present, upon the best Information they can get, from the said Inspectors, and otherwise, what Buildings, Additions, or Repairs, Wharfs, Cranes, or other Conveniencies required by this Act, are wanting at each respective Warehouse; and the said Justices shall appoint Two Justices most convenient to each Warehouse, not being Proprietor or Proprietors to such Warehouse, to agree and contract for such Buildings, Additions, Repairs, Wharfs, Cranes, and other Conveniencies, as shall be determined to be wanting as aforesaid; and the said Two Justices shall, within five Days after such Appointment, give Notice to the Proprietor or Proprietors of each Warehouse, concerning which they are appointed to Contract, or his, or their Agent, to meet them at some convenient Place, by them in such Notice to be appointed, at a Time not exceeding ten Days from the Date of such Notice, at which Meeting the said two Justices shall inform the said Proprietor or Proprietors, or his or their Agent, what is required

Justices and
Inspectors to
meet yearly
on the 2d
Tuesday of
December, to
enquire about
and provide
for Necessa-
ries at the se-
veral Inspec-
tion Houses.