

C H A R I. cause any Person, who is not, really and bona fide, Master of the Ship or Vessel, to come on Shore, and take such the said Offence forfeit and pay Four Thousand Eight Hundred Pounds of Tobacco. And if any Master or Commander of a Ship shall take on board, or suffer to be taken on board, whereof he is Master, any Tobacco brought from any other Place, than some or one of the public Warehouses herein mentioned, or under private Agreement as aforesaid, shall suffer to be taken on board, or suffer to be taken on board, in any Hogheads, Casks, or Cases, stamped as aforesaid, every such Master and Commander shall forfeit and pay Eight Hundred Pounds of Tobacco for every Hoghead of Tobacco, which shall not have been brought from one of the public Warehouses, or which shall not be stamped as aforesaid; and moreover every such Hoghead, Cask, or Case of Tobacco shall be forfeited.

XXXV. And, For as much as the permitting Tobacco in Bulk or Parcels to be waterborn, on Pretence of being carried to the Warehouses established by this Act, may give great Opportunity to the clandestine running the same on board the Ships, lying at or near the said Warehouses, whereby the Evil of exporting Trash Tobacco may be still continued:

Tobacco may not be taken on Board any Vessel in Bulk or Parcels. Penalty and Punishment of Persons conniving at taking such Tobacco on Board.

XXXVI. Be it enacted, That if any Person, taking upon himself to carry any Tobacco to or from any of the said Warehouses in his Vessel for Hire, shall presume to take on board, or permit or suffer to be taken on board, any Tobacco whatsoever, in Bulk or Parcels, such Tobacco (except as before excepted) shall not only be forfeited, and may be seized by any Person or Persons whatsoever, but such Master or Skipper offending herein, shall forfeit and pay Two Hundred and Forty Pounds of Tobacco for every Hundred Pounds of Tobacco, and so proportionably for a greater or lesser Quantity; and the Master or Commander of any Ship or Vessel, wherein any Tobacco in Bulk or Parcels shall be found, shall, over and above the Forfeiture thereof, be liable to the same Penalty, to be recovered, if it doth not exceed Twelve Hundred Pounds of Tobacco, before any Three Justices of the Peace of any County, near the Place where such Ship, Sloop, Boat, or other Vessel shall lie, and if it exceeds Twelve Hundred Pounds of Tobacco, in any Court of Record, by Action of Debt, wherein the Plaintiff shall recover Costs; and if such vessel be under the Care and Management of a Servant, who cannot satisfy and pay the said Penalty, then such Servant shall, upon Complaint thereof made to any Justice of the Peace, have and receive, by Order of the said Justice, on his bare Back, any Number of Lashes not exceeding Thirty-nine, well laid on; and if such Servant shall be again trusted with the Care and Management of any such Vessel, and shall be convicted a Second Time of taking or receiving on board the same, any Tobacco in Bulk or Parcel, contrary to the Directions of this Act, the Owner of such Servant, shall forfeit and pay the like Sum of Two Hundred and Forty Pounds of Tobacco for every Hundred Pounds of Tobacco, and so in Proportion for a greater or lesser Quantity, so taken or received on board, in Bulk or Parcel, and shall also forfeit and pay Sixty Pounds of Tobacco for every Day such Servant shall thereafter be employed as Skipper or Master of any such Vessel to him belonging.

Proviso, in regard to Tobacco for the Payment of XXXVII. Provided always, That nothing herein before contained shall be construed to prohibit any Person from carrying, or causing to be carried, to the said Warehouses, in any Boat or other Vessel, any Tobacco in Bulk