

their respective Claims, the Balance due in Money to such Creditor; C H A P. and if any Sheriff shall not make Payment according to the Directions of this Act, such Sheriff shall forfeit and pay to the Party grieved, if he sues the Sheriff only, double the Tobacco or Money to be recovered, with Costs, by Action of Debt, or Action on the Case founded on this Act; in which it shall be sufficient for the Plaintiff to allege, that the Defendant is indebted to the Plaintiff (or received to the Plaintiff's Use) the Sums of Money or Tobacco claimed by him, whereby the Plaintiff's Action accrued to him, according to the Form of this Act, without setting forth the special Matter; but if the Party sues on the Sheriff's Bond, he shall recover only his Debt, Interest, and Cost.

LXXI. *And*, to prevent any Person or Persons whatsoever from making Sale of trashy and unmerchantable Tobacco, *Be it enacted*, That it shall not be lawful for any Person or Persons, on any Pretence whatsoever, to buy, barter, purchase, or take, into his, her, or their Possession, or to sell or offer to Sale, either directly or indirectly, any trashy or unmerchantable Tobacco, either loose or in Hands, in Bundle, Bulk, Parcel, Case, Hoghead, or other Package whatsoever, except such Tobacco as hath been heretofore lodged in any Inspection-House in Pursuance of any former Law, under the Penalty of Four Pounds of Tobacco Persons not to make Sale of trashy Tobacco, &c. for every Pound of Tobacco so bought, bartered, purchased, taken into his, her, or their Possession, or sold or offered to Sale, as aforesaid. Penalty.

LXXII. *And*, For the further discovering and punishing so pernicious a Practice, *Be it enacted*, That if either Party, offending as aforesaid, shall make Information against the other Party or Parties, so as aforesaid offending, and shall prosecute such other Party or Parties, so that he, she, or they, be of the Offences aforesaid, or either of them, lawfully convict (to which Purpose any or either of the Parties aforesaid are hereby enacted and declared to be good and sufficient Evidence) such Person, so as aforesaid informing and prosecuting, shall be indemnified and saved harmless from any Prosecution for the said Offence. One Party informing against the others, to be indemnified.

LXXIII. *And be it enacted*, That as often as any Magistrate shall be informed; by any credible Person on Oath, or Affirmation if a Quaker, that he suspects and verily believes any trashy or unmerchantable Tobacco is in any particular Tobacco-House, Barn, or other Out-House, Ship or other Vessel, Inclosure, or other Place whatsoever, it shall and may be lawful for such Magistrate, and he is hereby authorized and required, immediately upon such Information, either to raise and compel Assistance, and to proceed himself, or by Warrant under his Hand and Seal, directed to such Informer, or others, thereby authorizing and directing him or them to compel Assistance, and to proceed forthwith to such or any other suspected Place as aforesaid, and there quietly enter it (except such House or Place be on the Plantation where such trashy or unmerchantable Tobacco shall appear by the Oath, or Affirmation if a Quaker, of the Owner, or of any other credible Person, to have been made, or on some other Plantation belonging to such Person who made such Tobacco; and also except in Inspecting-Houses and other Houses used by Inspectors, for the convenient carrying on and Execution of this Act) if the Person having the Care of such Place be present, and will immediately permit such Entry; or if the Party having the Care of such Place be not then present, or being present will not permit such Entry, then to enter forcibly into such or any other suspected Place, and there to search for any such Tobacco as aforesaid, and the same, being found, to take and carry away, and also all other trashy or unmerchantable Tobacco. Magistrates may enter any suspected Place, quietly, if permitted by the Owner, or forcible, if refused, to search for unmerchantable Tobacco, and carry it to the next Inspection House.