

claiming the same, shall prove by his, her, or their own Oath, or Affirmation if a Quaker, or the Oath or Oaths, or Affirmation if a Quaker, of any other credible Person (which Oath or Affirmation any Magistrate is hereby authorized and required to administer, "That such Tobacco so taken under Carriage, was at such Time carrying to be inspected at some Inspecting-House, agreeable to the Laws of this Province:" Such Proof shall exempt the Person so carrying, or Owner or Claimer of such Tobacco, from the Penalties, other than the Loss and Burning of such trashy Tobacco. Liber B.L.C.

And be it further Enacted, That if any Person or Persons, shall remove any Tobacco which shall be stopped or seized as aforesaid, other than such Person or Persons who shall so seize the same, or some other by his or their Order, or who shall rescue or attempt to rescue any Tobacco, which shall be so stopped and seized as aforesaid; such Person or Persons so offending, shall forfeit and pay fifteen Pounds Current Money for every Hogshead or Parcel of Tobacco, so removed, rescued, or attempted to be rescued as aforesaid, to be recovered in the Court of the County, where such Offence shall be committed, or the Party or Parties reside, by Action of Debt, Bill, Plaint, or Information, wherein no Essoyn, Protection, Wager of Law, or more than one Imparlance shall be allowed, for the Use of the Person or Persons making such Seizure as aforesaid. [Penalty on Persons attempting to rescue trashy Tobacco when seized.]

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. [Of Persons sued for putting this Act in Execution.]

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. [Proviso.]

This Act to continue until the first Day of December, which shall be in the Year of our Lord God, One thousand seven hundred and fifty three. [Continuance of this Act.]

28<sup>th</sup> May 1751  
Read and Assented to  
by the Lower House of  
Assembly  
Signed p Order  
Mr Macnemara Cl lo. ho.

On Behalfe of the Right  
Honourable the Lord Pro-  
prietary of this Province.  
I will this be a Law  
Sam: Ogle

28<sup>th</sup> May 1751 p. 527  
Read and Assented to  
by the Upper House of  
Assembly  
Signed p Order  
J Ross Cl. Up. Ho.

The Great Seal in  
Wax Appendant