

Wooden chimneys not to be built within 100 yards of any warehouse.

SEC. 42. *And be it enacted,* That it shall not be lawful for any person to erect or build, or cause to be erected or built, any chimney, except brick or stone, within one hundred yards of any public warehouse in this state; and where any chimney, except brick or stone, is already built within the distance aforesaid from any public warehouse, the owner or proprietor of the said chimney shall pull down the same, or on refusal or neglect so to do in six months after the passing this act, it shall and may be lawful for the sheriff of the county, and he is hereby required, upon notice, under the penalty of one hundred and fifty dollars, to cause such chimney to be pulled down and demolished; and the inspector or inspectors of the several warehouses shall, under the penalty of sixty dollars, give notice to the sheriff of their respective counties of any chimneys being erected, or already built, contrary to the provision in this act, as soon as may be after such chimney may be discovered.

Special bail may be awarded in actions founded on this act.

SEC. 43. *And be it enacted,* That in all actions founded on this act against any person or persons about to depart the state, it shall and may be lawful for the court in which such action shall be commenced, upon affidavit of the plaintiff or other evidence of the fact, and his cause of action given to the satisfaction of the court, to award special bail against any defendant in such action, and for default of such bail to commit such defendant until he shall put in such special bail.

Court may purchase land for erecting warehouses

SEC. 44. *And,* whereas some of the warehouses rented and used under former laws for the inspection of tobacco may have been employed and used by the owners thereof to other purposes, and they may be now unwilling to rent them for the use of the public: And whereas, it may be necessary to erect new warehouses at some of the places to be appointed in virtue of this law; *Be it enacted,* That the justices of the levy court, in all such cases, shall and they are hereby authorized and required to agree for and purchase a quantity of land, not exceeding two acres, the most convenient and proper for the erection of warehouses; and in case the owner or owners of such land shall refuse to make sale of so much of the said land as the said justices shall think necessary, for the purposes by this act directed, at a reasonable price, or be under any disability of making sale thereof, then the said justices shall be, and they are by virtue of this act, authorized and required to issue their warrant to the sheriff of such county, requiring and commanding him to summon and return a jury of good and lawful men of his county, not less than twelve, inhabitants within such county, and not interested in, or related to the owner of, such land, to be and appear before the said justices on the premises, upon a certain day to be by them limited and appointed in such