

CHAP. 63.

Inspector's oath
of office.

6. AND BE IT ENACTED, That every inspector, before he acts as such, shall, under the penalty of three hundred dollars, take the following oath or affirmation of office, (as the case may be,) to wit: "I, A. B. appointed inspector at — warehouse, do swear, or solemnly, sincerely and truly declare and affirm, that I will diligently and carefully uncase, break, or cause the same to be done in my presence, and will examine, all tobacco which I shall be called upon to view and inspect at the said warehouse, or at any other public warehouse, and that I will not receive any tobacco that is not, in my judgment and conscience, sound, clean, in good order and condition, and merchantable, and that I will not receive, pass or mark, any hogshead of tobacco prohibited by this act, and that I will receive, pass and mark, all tobacco that is, in my judgment and conscience, sound, clean, in good order, condition, and merchantable, and that I will in all things well and faithfully discharge my duty in the office of an inspector, according to the best of my skill and judgment, and according to the directions of this act, without fear, favour, affection, malice or partiality; so help me God;" which oath or affirmation any justice of the peace may administer.

Inspector to enter
into bond.

7. AND BE IT ENACTED, That every inspector, before he executes any part of his duty under this act, shall, under the penalty of eight hundred dollars, enter into bond before one of the justices of the peace for his county, with good and sufficient securities, having property within the state assessed to two thousand five hundred dollars, such as the said justice shall approve, in the penalty of three thousand dollars, payable to the state, with condition, that he will diligently and carefully uncase and break, or cause the same to be done in his presence, view and examine, all tobacco brought to the warehouse at which he is inspector, which he shall be called upon to view and inspect at the said warehouse, or any other public warehouse, and that he will not receive, pass or mark, any tobacco, or hogshead of tobacco, prohibited by this act, and that he will in all things well and faithfully execute and discharge his duty in the office of an inspector, according to the best of his skill and judgment, and according to the directions of this act; and the said justice shall immediately cause the said bond to be proved by the witnesses thereto, and shall forthwith endorse the probat on the back thereof, and transmit the said bond to the clerk of the county court within ten days, who shall record the same, with the endorsement thereon, and transmit it to the clerk of the *general* (a) court, who shall immediately record the same bond and endorsement aforesaid, and immediately afterwards deliver the original bond to the register of the chancery court, to be by him safely kept in the chancery-office; and an attested copy of the said bond and probat, from either of the said records, shall be as good evidence in law to maintain an action of debt for any breach of the condition of the said bond, as if the same was actually produced and proved in court; and the same bond may be sued by any person entitled as holder of any note of such inspector, for the non-payment or not delivering the tobacco mentioned in such note, and on nonsuit, or judgment for defendant, the person suing such bond

(a) Since the abolition of the general court it has been the practice to transmit the bonds to the clerk of the court of appeals of the shore.