

27. AND BE IT ENACTED; That if any person shall export, or cause to be exported, any hogshead of tobacco marked with a forged or counterfeited mark, or demand tobacco of any inspector or inspectors upon any forged, counterfeited or altered manifest or note, knowing such manifest or note, or such mark, to be forged, counterfeited or altered, every person so offending, and being thereof convicted, shall receive thirty-nine lashes on his or her bare back, or be sentenced to hard labour not exceeding seven years, or be fined not exceeding three hundred dollars, or all of them, in the discretion of the court; and if any person shall put or pack any tobacco into any hogshead marked by any inspector or inspectors in lieu of tobacco inspected, or shall draw or take out any stave, plank or heading board, of any hogshead of tobacco, after it shall be delivered out from any public warehouse, unless it be for the purpose of examining the quality of the tobacco by a person intending to purchase the same, every person so offending, upon conviction thereof, shall be fined a sum not exceeding one hundred dollars, if free, and if a servant or slave shall be whipped not exceeding twenty lashes, and in all such cases the testimony of the inspector or inspectors may be admitted as evidence.

CHAP. 63.  
And for exporting tobacco with a forged stamp.

28. AND BE IT ENACTED. That if any note or notes of any inspector or inspectors be lost, mislaid or destroyed, the person entitled to receive the tobacco by virtue of any such note or notes shall make oath, or affirmation, (as the case may be,) before a justice of the peace of the county where the same is payable, to the mark, number and date of such note, to whom and where payable, and for what quantity of tobacco the same was given, and that such note or notes is lost, mislaid or destroyed, was first made by the party, and that such person, at the time such note or notes was lost, mislaid or destroyed, was lawfully and justly entitled to receive the tobacco therein mentioned, and shall take a certificate thereof from such justice, and upon producing such certificate to the inspector or inspectors who signed such note or notes, and lodging the same with him or them, the said inspector or inspectors of the said tobacco in the said note or notes shall deliver to the person obtaining such certificate a new note or notes, with the marks, numbers, weights and dates, corresponding with the former note or notes lost or mislaid; and shall be thereby discharged from all actions and demands on account of such notes; and if any person shall be convicted of taking a false oath or affirmation, he shall suffer as in case of wilful and corrupt perjury, and shall forfeit and pay to the party grieved fifty dollars for every hundred pounds of tobacco specified in such certificate, and so in proportion for a less quantity; and any person selling or producing a forged certificate, knowing the same to be forged, in the case aforesaid, shall, upon conviction, be fined a sum not exceeding one hundred and fifty dollars, or shall stand in the pillory not exceeding two hours, or both, in the discretion of the court, and shall pay to the party grieved fifty dollars for every hundred pounds of tobacco specified in such certificate; *Provided always*, that no person shall be entitled to receive a new note in lieu of any note lost, destroyed or mislaid, as aforesaid, unless he or she shall advertise the same within twenty days after such note is first discovered to be lost, mislaid or destroyed, at the court-house door of the county, and the warehouse at which such tobacco was inspected.

Persons losing notes upon making oath thereof entitled to new ones.

Proviso.