

CHAP. 68.

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

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.

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 authorised 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, authorised 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 warrant, which jury, upon their oath, to be by any one of the said justices to the said jurors administered, shall inquire who is or are the owner or owners of the said land, what is the value thereof, and what damages such owner or owners will sustain; and the sum of money the said jurors shall adjudge to the owner or owners of such land shall be assessed by the justices of such county at the time of the making their next county assessment, and shall be collected by the sheriff or collector of such county in the same manner as the county assessment, and the sheriff or collector shall tender or pay the same to the owner or owners of such land; and the said justices shall, immediately after such valuation by the jury, cause such land to be surveyed and laid out by the surveyor of such county, with good and sufficient boundaries, and a certificate thereof to be returned and recorded in the county records; and the justices of the said county, and their successors, shall be and are hereby vested with an estate in fee-simple in the said land, for the use of such county for ever; and the said justices, or any two of them, shall and they are hereby authorised and required to treat and agree with workmen to build and finish good, necessary and convenient warehouses on such land, and to purchase all necessaries and conveniences to carry this act into execution, and the expenses for the same shall be assessed and collected on and from the inhabitants of such county in the same manner as the county assessment, and shall be paid by the sheriff or collector to the order of the said justices, or any three of them.