

C H A P.
XXV.
Part of an act
repealed.

VII. And be it enacted, That all that part of the second section of the said supplementary act which directs the sheriff to pay to the commissioners therein appointed the monies to be collected by him for the purposes mentioned in the same, and the application thereof, and the whole of the third, fourth, and fifth sections of the said supplementary act, be and are hereby repealed.

C H A P. XXVI.

An ACT to regulate the inspection of tobacco.

Passed De-
cember 21.

Preamble.

WHEREAS, in order properly to regulate the inspection of tobacco, it is essentially necessary to prevent the exportation of such as is unmerchantable;

No tobacco to
be carried out
of the county
until inspect-
ed, &c.

II. Be it enacted, by the General Assembly of Maryland, That after the first Monday of February next, no person shall carry out of the county where it was made, either by land or water, any tobacco, either in casks or parcels of any kind, until it has been inspected at some public warehouse in the said county, unless he shall choose to carry it to some one public warehouse at the least remote distance from him in the next adjacent county, or to any warehouse in any adjoining county to the county in which the tobacco is made, provided the said tobacco shall not be water-borne; and any person acting contrary to this act, shall, upon presentment in any of the county courts, and conviction thereof, be fined the sum of twenty pounds for every offence, for the use of the informer.

Nor out of the
state unless in
hogheads,
&c.

III. And be it enacted, That after the above first Monday of February next, it shall not be lawful to export, or carry out of this state, by land or water, any tobacco, unless in hogheads, which shall be inspected, passed, marked, stamped and branded, at some public warehouse, agreeably to the directions of this act; and if any person shall export by water out of this state any tobacco contrary to this act, or shall lade any tobacco on board any vessel for exportation out of this state, contrary to this act, such person shall forfeit and pay the sum of two hundred pounds current money for every such offence, to be recovered in any court of law in this state, the one half for the use of the state, the other half to the use of the informer. And every captain of a ship or other vessel taking in tobacco for exportation, shall receive none on board without a manifest, signed by the inspector or inspectors of the warehouse from whence the same was brought, all of which original manifests so signed by the inspectors, he the said captain, upon his clearing out, shall deposite with the collector of the United States of the port from which he sails, and he the said captain, or his mate, shall make oath, that no more tobacco, from any part of the state of Maryland, has been received on board than what is expressed in the said manifests; and if any person shall carry any tobacco by land out of this state, contrary to this act, or shall lade or put in any waggon, cart or other carriage, any tobacco, with intent to carry the same out of this state contrary to this act, such person shall forfeit fifty pounds current money for every hoghead of tobacco, if in hogheads, or one shilling like money, if not in hogheads, for every pound of tobacco so carried out, or laden or put in any carriage, with intent to carry the same by land out of this state; and the tobacco so laden, together with the waggon, cart or other carriage, and the horses, oxen or other beasts, employed in such service, shall be forfeited, one half to the state, and the other half to the informer; and it shall be lawful for any person to seize any tobacco which he shall discover laden or put in any waggon, cart or other carriage, with intent to be carried out of this state contrary to this act, and the carriage and horses, oxen or other beasts, employed in such service, and the property thereof shall be vested, on seizure, in the person making the same, who, if sued for such seizure, may give this act and the special matter in evidence; and if it shall appear that such seizure is made for breach of this law, the court before whom such suit is tried, shall direct the jury to find for the defendant, for whom they shall find accordingly, and thereupon the property of the thing seized shall be vested in the defendant. And the governor and the council may, in their discretion, from time to time, appoint fit and active persons at the Head of Elk, and near the division
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