

venience of the inhabitants of their county who carry tobacco for inspection, to determine whether any warehouse appointed in their county in virtue of this act ought to be discontinued and suppressed, and also whether the number of inspectors at any warehouse ought to be increased, or diminished, and the said justices shall enter their determination in the records of the minutes of their proceedings, and shall transmit a copy thereof to the governor and the council; and if the said justices shall declare that any warehouse is unnecessary, it shall, by virtue of such order, be discontinued, and if belonging to the county, the warehouse, with the ground belonging thereto, shall be sold by the order of the said justices, and the sales thereof applied to the use of the county; and if they shall declare that the number of inspectors are too few or too many at any warehouse, the governor, with the advice of the council, may appoint and commission, out of the last recommendation, as many persons as may be necessary, or, in the last case, take as many out of the appointment and commission as may be requisite.

C. H. A. P.  
XXVI.

LX. **And be it enacted,** That for every hoghead of tobacco inspected on the western shore, except the counties of Baltimore and Harford, there shall be paid to the inspector or inspectors who shall view the said tobacco, the sum of four shillings current money; and for every hoghead of tobacco inspected on the eastern shore, and the counties of Baltimore and Harford, there shall be paid the sum of five shillings current money, by the person receiving the said tobacco, at the time of delivery thereof; and the said inspectors shall account for and pay all such monies by them received to the justices of their county, who shall, out of such monies, pay the proprietors of the warehouses, within one month after such account shall be settled, a sum of money, in their discretion, not exceeding one shilling and six-pence, nor less than one shilling and three-pence, current money, for every hoghead inspected, passed, and lodged in their respective warehouses, and the inspectors salaries, and also all other expences incurred in virtue of this act.

Inspectors allowance, &amp;c.

LXI. **And be it enacted,** That every hoghead of tobacco that shall be unexported, after being twelve months in any public warehouse established by this act, shall be chargeable with three-pence per month for every month any hoghead of tobacco shall be over and above one year; and the inspector or inspectors are hereby directed to receive and pay the same to the justices of the county, if such warehouse belongs to the county, if not, to the owner or proprietor of the warehouse.

Charge for warehouse room, &amp;c.

LXII. **And be it enacted,** That if any action shall be commenced against any person for any thing done in pursuance of this act, he may plead the general issue, and give this act and the special matter in evidence at the trial, and that the same was done in pursuance and by authority of this act; and if it shall appear to have been so done, then the court shall direct the jury, and they shall accordingly find for the defendant, and if the plaintiff be nonsuited, or discontinue his action, or if judgment shall be given upon demurrer or verdict against the plaintiff, the defendant shall recover double costs.

Defendant may plead the general issue, &amp;c.

LXIII. **And be it enacted,** That all prosecutions and actions for the recovery of any penalty or damages for any breach of this act, shall be commenced within one year after the offence committed, or damage done, and not afterwards; and all actions commenced against any person or persons making any seizure under this act, or doing any thing in consequence of the provisions in this act, shall be brought within one year after the seizure made, or act done, and not afterwards.

Actions to be commenced within one year, &amp;c.

LXIV. Whereas, since the expiration of the act to prevent the exportation of unmerchantable tobacco, the inspectors at several of the warehouses established in virtue thereof continued to view and receive such tobacco as was offered to them for that purpose, and took the oath prescribed by that act to be taken by inspectors, and there may be now remaining in the said warehouses tobacco which hath been viewed and received by such late inspectors acting as receivers, **Be it therefore enacted,** That all such tobacco as shall be remaining in any of the said warehouses

Tob. heretofore viewed may be exported, &amp;c.