

C H A P.
XXVI.

warehouses at the commencement of this act, which has been viewed and received by receivers who have taken the oath prescribed by the said act to prevent the exportation of unmerchantable tobacco, may be delivered for exportation, agreeably to the directions of this act, without being subjected to be viewed and received by the inspectors appointed in virtue of this act, and the said receivers are hereby declared to be liable to the owners of such tobacco, as to the quality, in the same manner as inspectors are to be liable for the quality of tobacco viewed and received by them in virtue of this act, and the same proceedings shall be had in cases of a review being had on any of the said tobacco as are directed and prescribed by this act; and when at any of the said warehouses other inspectors shall be appointed in virtue of this act, then those who viewed and received as receivers such tobacco as may be remaining in the said warehouses, they are hereby required to make out manifests thereof, and they and the said receivers are hereby required and authorized to proceed agreeably to the directions of this act respecting the manner of delivering tobacco remaining in the warehouses by old inspectors to new ones appointed in their places.

Certain tobacco to be burnt, &c.

LXV. And be it enacted, That if any tobacco offered for inspection at any of the warehouses in this state shall, after picking, repacking, and finally determining on the same, be in the judgment and opinion of the inspector or inspectors of such warehouse unmerchantable, such tobacco shall be consumed by fire in the presence and under the direction of such inspector or inspectors, and totally destroyed; and if any inspector shall refuse to destroy by fire such tobacco, or shall wilfully or negligently permit such tobacco to be taken out of the inspection house to which he is appointed, every such inspector shall forfeit and pay for every such offence twenty pounds current money, and shall be discharged from his said office of inspector, and never after be qualified to hold the office of inspector of tobacco in any of the warehouses in this state.

Justices of F. county, &c. to fix places for warehouses, &c.

LXVI. And be it enacted, That the justices, or any three or more of them, of Frederick and Washington counties, may and they are hereby authorized, empowered and directed, upon application made to them by any person or persons, to determine and fix upon the most proper place in their county to prepare or build and erect a warehouse for the reception and inspection of tobacco as soon thereafter as may be necessary, and to appoint an inspector or inspectors for their said warehouse, provided such person or persons making such application shall prepare, or build and erect the same at his or their own expence, so that the same be sufficient to contain and secure all the tobacco offered for inspection at said warehouse, and furnishing scales, weights, prizes, and all other things that shall be necessary for that purpose; and that such person or persons preparing or erecting said warehouse, be and are hereby empowered and authorized to levy and receive from the owner or owners of tobacco two shillings and six-pence per hog-head for all tobacco by him or them received, kept and delivered, in good order, within one year, and three-pence for every month thereafter they shall take care of said tobacco after the expiration of said one year, until the same shall be delivered in good order, agreeably to the regulations of this act.

Inspectors to take an oath, &c.

LXVII. And be it enacted, That the inspector or inspectors appointed at such warehouse shall take an oath or affirmation, as the case may be, as in other cases is required by this act, and shall give bond, with security to be approved by the said justices, to be recorded in the county court, for the faithful performance of his trust; and the person or persons preparing or building such warehouse shall give bond, with security to be approved by the said justices, with condition to perform his contract in preparing or building said warehouse, and keeping the same in repair, and also providing scales, weights, prizes, and other things necessary for inspecting tobacco at said warehouse, the said bond to be recorded in the county court.

Governor, &c. to draw orders, &c.

LXVIII. Whereas certain duties are required by the collectors of the United States, for which they ought to receive a reasonable compensation, **Be it enacted,** That the governor and council are hereby authorized and empowered to draw orders