

C H A P.

LXI.

Forfeiture in  
case of fraud,  
&c.

this state, **Be it enacted,** That if any tobacco not inspected and passed agreeably to this act, or of the act, entitled, An act for the regulation of the staple of tobacco, shall be found on board any vessel, laying along side, or at anchor near any vessel receiving tobacco for exportation out of this state, such act shall be evidence of fraud and a design to export the same contrary to this act, and all such tobacco found on board such vessel shall be forfeited, together with such vessel, and may be seized by any person, and if he shall be sued for such seizure, he 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 vessel and tobacco seized, shall be vested in the defendant.

Inspectors to  
take the oath  
of fidelity, &c.

**XV. And be it enacted,** That if any person appointed an inspector hath not heretofore taken the oaths, or affirmation, as the case may be, of fidelity and support to this state, and subscribed a declaration of his belief in the christian religion, such person, before he acts as inspector, shall take the oaths or affirmations, as the case may be, directed by the constitution, and the oath or affirmation prescribed by the act to punish certain crimes and misdemeanors, and to prevent the growth of toryism, and subscribe a declaration of his belief in the christian religion, under the penalty of one hundred pounds current money; which oaths or affirmations any justice of the peace may administer.

Oath of in-  
spectors.

**XVI. And be it enacted,** That every inspector, before he acts as such, shall, under the penalty of one hundred pounds current money, take the following oath, or affirmation, of office, as the case may be, to wit, "I, A. B. do swear, or solemnly, sincerely, and truly declare and affirm, that I will diligently and carefully uncase, break and examine, all tobacco brought to any public warehouse where I am appointed to be inspector, and all other tobacco I shall be called upon to view and inspect, and that I will not receive any tobacco that is not in my judgment and conscience sound, clean, unmixed with trash or bad tobacco, in good order and condition, and merchantable, and that I will not receive, pass or stamp, any hoghead of tobacco prohibited by an act of assembly, entitled, An act to prevent the exportation of unmerchantable tobacco, and that I will receive, pass, stamp and brand, all tobacco that is in my judgment and conscience sound, clean, unmixed with trash or bad tobacco, in good order and condition, and merchantable, and that I will in all things well and faithfully discharge my duty in the office of an inspector, according to the best of my skill and judgment, and according to the directions of the said act, without fear, favour, affection, malice or partiality. So help me God;" which oath or affirmation any justice of the peace may administer.

Who are to  
enter into  
bond, &c.

**XVII. And be it enacted,** That every inspector, before he executes any part of his duty under this act, shall, under the penalty of three hundred pounds current money, enter into bond before one or more of the said commissioners of the tax for his county, with good and sufficient securities, having property within the state assessed to one thousand pounds current money such as the said commissioners, or a majority of them, shall approve, in the penalty of one thousand pounds current money, payable to the state, with condition, that he will diligently and carefully uncase, break, view and examine, all tobacco brought to any public warehouse where he is appointed to be inspector, and all other tobacco he shall be called upon to view and inspect, and that he will not receive, pass, stamp or brand, any tobacco, or hoghead of tobacco, prohibited by an act of assembly, entitled, An act to prevent the exportation of unmerchantable tobacco, and that he will in all things well and faithfully execute and discharge