

C H A P.
LXI.

fefts for the hogheads intended to be put on board each vessel, which manifest every master is required to produce to, and lodge with, the naval officer of the district, where the vessel whereof he is master shall ride, or by whom he shall be cleared, some time before her clearance; and as it may happen, that the vessel in which such tobacco was intended to be put, may be so full as not to be capable of stowing all the tobacco contained in such manifest, or by springing a leak, or other accident, it may be necessary to reland the same, in such cases it shall and may be lawful to ship the said tobacco, or any part thereof, on board any other vessel the owner thereof shall think fit, the master of such vessel endorsing on the said manifest the marks and numbers of the respective hogheads by them taken on board, and giving notice to the inspector or inspectors of the warehouse from whence the same was brought, or if there be no vessels to receive the said tobacco, then it shall and may be lawful for the master of the first mentioned vessel to put the said tobacco in the nearest warehouse to the place where such vessel shall ride, giving immediate notice thereof to the inspector or inspectors who passed such tobacco, and the inspector or inspectors of the warehouse where such tobacco shall be delivered, shall receive from the person relanding the same two shillings current money for every hoghead so landed, and shall give a receipt for the same, and shall cause the said tobacco to be safely lodged and delivered to the owner, or his order, when required, without any other fee or reward, and one half of the money so received shall be paid to the owner of the warehouse, and the other half may be retained by the inspector or inspectors for his or their trouble.

Tobacco not
to be passed
unless packed
in fizable
caiks, &c.

XXIV. And, for preventing the packing tobacco in unfizable caiks, Be it enacted, That no tobacco shall be passed or accounted lawful tobacco, unless the same shall be packed in hogheads not exceeding forty-eight inches in the length of the stave, and seventy inches in the whole diameters within the staves at the crose and bulge, and the owner of tobacco, packed in any hoghead of greater dimensions, shall repack the same in fizable hogheads as herein before expressed, at his own expence, before the same shall be passed.

Penalty for
forging mani-
fests, &c.

XXXV. And be it enacted, That if any person shall forge or counterfeit any manifest or note of any inspector or inspectors, or alter the quantity of tobacco expressed in such manifest or note, or shall offer, or cause to be offered, in payment, any such forged, counterfeited, or altered manifest or note, knowing the same to be forged, counterfeited or altered, and shall be thereof convicted in the general court, or any county court, or shall refuse to plead, or peremptorily challenge above the number of twenty of the pannel, shall be publicly whipped not exceeding thirty-nine lashes, and shall be committed to gaol by the court where convicted until sold, and such court is hereby directed to sell such convicted person at public sale, for a term not less than three nor more than five years, and if such person cannot be sold, then to be imprisoned in some gaol or work-house for not less than one nor more than three years, and there kept to continual hard labour, according to his health or strength of body, and fed with bread and coarse meat and water, and not allowed any kind of strong liquor, except only as medicine by the prescription of a physician in writing; and every person, sold as aforesaid, shall actually labour as a servant during the whole time for which he shall be sold, and in case of deceit, or contract not to serve and labour, the court shall sell such servant again for the same term, and the first purchaser shall lose his money, and so toties quoties, until such person shall actually serve such time as a servant, and in case of a second conviction for such offence, the punishment shall be doubled; and if any person, convicted of forging or counterfeiting any inspector or inspectors manifest or note, shall have
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