

commend such person to be inspector as he shall in his judgment and conscience believe well skilled in the curing and packing tobacco; and the order, condition and quality thereof; and well qualified and capable from his integrity, reputation and diligence, to execute and discharge the office and duty of an inspector; and every justice, on voting for any public warehouse to be fixed or built at any particular place; or for any inspector or inspectors, for the inspecting, safe keeping and delivering of tobacco at the said warehouse, shall declare in writing, in a book to be kept by the clerk of the county for that purpose only, his choice of such warehouse, and of the name or names of the inspector or inspectors for whom he hath voted, and shall subscribe his name to the said declaration in writing, and the said justices shall immediately thereafter deliver a copy thereof, under their hands, to the sheriff of their county, who shall forthwith transmit the same to the governor, who, with the advice of the council, is hereby authorized and required to appoint and commission two persons out of the five, or one person out of the three, recommended as before directed, to be inspector or inspectors, as the case may require.

VII. AND BE IT ENACTED, That every justice who shall neglect, (not being prevented by sickness, or some other unavoidable accident,) to meet according to the directions of this act to appoint public warehouses, or to nominate and recommend inspectors, as directed by this act, or being met, shall neglect to appoint warehouses, or to nominate and recommend inspectors, in pursuance of this act, shall forfeit and pay the sum of twenty pounds current money for every such neglect.

Penalty for neglect, &c.

VIII. AND BE IT ENACTED, That no member of the general assembly or the council, clergyman, practicing attorney or physician, sheriff, clerk of the general or any county court, or any commissioner of the tax, shall be nominated or appointed an inspector.

No member, &c. to be appointed, &c.

IX. AND BE IT ENACTED, That if any inspector shall refuse to act, or after acceptance shall resign, die, remove out of the county, or be rendered incapable to act, the governor, with the advice of the council, is hereby authorized and requested to appoint and commission any other person mentioned in the last recommendation from the said justices in the place of the person who shall refuse, resign, die, remove, or be incapable to act, for the residue of the year; and if it should happen that so many of the persons recommended should refuse, resign, die, remove, or be incapable to act, so as not to leave a choice out of such recommendation, the governor, with the advice of the council, is hereby authorized and required to appoint and commission such person as they may think proper for the residue of the year.

How vacancies are to be filled.

X. AND BE IT ENACTED, That the governor and council shall annually, on or before the first day of March, furnish the collectors of the United States in this state with a list of the names of the several inspectors in this state, and their respective warehouses annexed.

Governor, &c. to furnish a list, &c.

XI. AND BE IT FURTHER ENACTED, That the several inspectors shall annually, on or before the tenth day of November, transmit to the governor and council a general list of all tobacco delivered by them respectively, containing full and particular accounts of the several manifests by them made out for tobacco shipped from their respective warehouses the preceding year, the dates of each manifest, and by whom shipped, and the governor and council are required and directed to obtain from the collectors of the several ports in this state annually, the original manifests of the inspectors, or attested copies thereof, and to examine and compare them with the copies of the manifests received from the inspectors, and in case it should be discovered from such examination and comparison, that any forgery, alteration or interlineation, has been practised or made use of with respect to any of the said manifests lodged with the collectors, the governor and council shall order the attorney-general to commence a prosecution on behalf of the state against the persons who shall appear to have so forged, altered or interlineated, any such manifest or manifests.

Inspectors to transmit a list of all tobacco, &c.

XII. AND, to encourage the manufacturing tobacco within this state, and the export thereof, BE IT ENACTED, That any tobacco manufactured in this state, that is, spun, cut or snag, for chewing or smoking, or made into snuff, may be exported out of this state, provided the person desiring to export any of the said species or kinds of manufactured tobacco shall deliver to the collector of the district in which such manufactured tobacco shall be laden for exportation a manifest thereof, in which shall be expressed the number and marks of the case or package, and the weight of the tobacco, and the species thereof, with an oath or affirmation of the owner, or of some credible person, endorsed on the manifest, to the truth thereof, and that the tobacco therein expressed was actually manufactured within this state, provided no case or package of such tobacco shall contain above two hundred pounds weight.

Manufactured tobacco may be exported, &c.

XIII. AND