

C H A P. XXVI

November, on the eastern shore, yearly, by public auction, in single hogheads, and not otherwise, and shall pay the money arising by such sale at the average price of the sale of tobacco belonging to each house, in satisfaction of their notes, from time to time, to the proprietors thereof making their demand, under the same penalty as is inflicted for not paying inspectors notes.

XXXIII. AND BE IT ENACTED, That all transfer tobacco, when prized in hogheads, shall be subject to the same charges for inspection, and otherwise, as crop tobacco is subject to.

Transfer subject to charges, &c.

XXXIV. AND BE IT ENACTED, That the inspector or inspectors shall carefully enter in a book to be provided and kept for that purpose alone, every hoghead of tobacco viewed, passed, stamped and branded, by him or them, and the quality thereof, and the maker's mark, and warehouse number, with the gross, tare and net weight, of all such tobacco, and in what vessel the same shall be laden, and shall send with every load of tobacco a manifest thereof, or a separate manifest for each hoghead of tobacco, if required, containing the numbers, gross, tare and net weight, and marks, of every hoghead of tobacco, to be delivered to the master of the vessel in which the same shall be put on board for exportation; in all which manifests the number of hogheads contained shall be expressed in letters, and not in figures; and if the tobacco delivered is intended to be put on board several vessels, then the inspector or inspectors shall deliver separate manifests for the hogheads intended to be put on board each vessel; which manifest or manifests every master is required to produce to, and lodge with, the collector of the district where the vessel, whereof he is master, shall ride, or by whom he shall be cleared out, sometime 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; 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, 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.

Every hoghead to be entered in a book, &c.

XXXV. AND, for preventing the packing of tobacco in unsizeable casks, BE IT ENACTED, That no tobacco shall be passed or accounted lawful tobacco, except tobacco in parcels, 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 diameter 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 sizeable hogheads, as herein before expressed, at his own expence, before the same shall be passed.

Tobacco not to be passed unless packed, &c.

XXXVI. 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, he shall be publicly whipped, not exceeding thirty-nine lashes, or fined in any sum not exceeding one hundred pounds, or shall be sentenced to hard labour for any term not exceeding seven years, or all of them, in the discretion of the court.

Penalty for forging manifests, &c.

XXXVII. AND BE IT ENACTED, That if any person shall export, or cause to be exported, any hoghead of tobacco stamped with a forged or counterfeited stamp, or demand tobacco of any inspector or inspectors upon any forged, counterfeited or altered manifest or note, knowing such manifest or note, or such stamp, to be forged, counterfeited or altered, every person so offending, and being thereof convicted, shall receive thirty-nine lashes on his or her back, or be sentenced to hard labour not exceeding four years, or be fined not exceeding one hundred pounds current money, or all; in the discretion of the court; and if any person shall put or pack any tobacco into any hoghead stamped by any inspector or inspectors, in lieu of tobacco inspected, or shall draw or take out any stave, plank or heading board, of any hoghead of tobacco, after it shall be delivered out from any public warehouse, unless it be for the purpose of examining the quality of the tobacco by a person intending to purchase the same, every person so offending, upon conviction, shall be fined a sum not exceeding

And for exporting tobacco with a forged stamp, &c.