

**XXLII. AND BE IT ENACTED,** That the clerk of each county within this state shall provide a well bound book, and record therein all the proceedings of the justices relating to this act; and that it be the duty of the clerk of the county court for the time being, to attend them on all occasions relating to this act in their respective courts, and at their meetings at the court-house, and that he be qualified by oath before some magistrate, to keep fair and just entries of the proceedings of the said justices, and do all other necessary services in relation to this act which shall be required of him by the justices aforesaid; for all which services he shall annually be allowed in the county assessment a sum not exceeding ten pounds current money.

**CHAP.  
XXVI.**  
Clerk to provide a book, &c.

**XXLIII. AND BE IT ENACTED,** That no master or commander of any vessel taking tobacco on freight, shall remove or transport any such tobacco from any warehouse, in order to be put on board his vessel, in any open boat, or undecked vessel, or on the deck of any vessel, without such good and sufficient covering as will secure such tobacco against rain; under the penalty of five pounds current money for every offence.

Masters of vessels not to remove tobacco, &c.

By 1793, ch. 47, a penalty is inflicted on the master or skipper of any flat, &c. taking tobacco from a warehouse without sufficient covering, &c. and such masters and skippers are directed to take an oath for the careful and diligent carrying of such tobacco, &c.

**XLIV. AND BE IT ENACTED,** That the justices and inspectors of each respective county shall meet at the place where their respective county courts are held, on the first Monday in April next, if fair weather, if not, on the next fair day, under the penalty of twenty pounds current money each, at which meeting it shall be determined by a majority of the justices then present, upon the best information they can procure, what buildings, additions or repairs, and wharfs, required by this act, are wanting at each respective warehouse; and the said justices shall appoint two justices most convenient to each warehouse, not being proprietor or proprietors of such warehouse, to agree and contract for such buildings, additions, repairs and wharfs, as shall be determined to be wanting as aforesaid; and the said two justices shall, within five days after such appointment, give notice to the proprietor or proprietors of each warehouse, concerning which they are appointed to contract, or his or their agent, to meet them at some convenient place, by them in such notice to be appointed, at a time not exceeding ten days from the date of such notice, at which meeting the said two justices shall inform the said proprietor or proprietors, or his or their agent, what is required of him or them, according to the determination of the justices aforesaid; and if the said proprietor or proprietors will not immediately enter into bond to the state, in such penalty as the said two justices shall think proper, not exceeding five hundred pounds current money, to do what is required as aforesaid within six months after the date of such bond at farthest, or if after such bond given, such proprietor or proprietors shall not complete every thing therein specified, according to the tenor thereof, in either case the said two justices shall forthwith agree with some other person for doing what is determined as aforesaid to be necessary, or may be unfinished as aforesaid, and shall take a bond for performance of such their agreement; and in case one of the two justices aforesaid should die, or be removed, the other shall have as full power to act as if such death or removal had not happened; and if both such justices should die, or be removed, then the county court shall appoint two other justices, who shall have the powers aforesaid; and if any warehouse shall be suffered by the proprietor to be out of repair for the space of six weeks, every such proprietor shall forfeit and pay a sum not exceeding twenty pounds current money, and also shall be liable to action of the party grieved for damages sustained by occasion of such warehouse being out of repair; and it shall be the duty of the inspector or inspectors of the respective warehouses to inform against any proprietor suffering the warehouse to be out of repair as aforesaid; and any inspector knowing the warehouse of which he is an inspector to be out of repair as aforesaid, and not informing some judge or justice, or grand jury, of the same, shall forfeit a sum not exceeding twenty pounds current money.

Justices, &c. to meet, &c.

**XLV. AND BE IT ENACTED,** That the bond taken by the justices aforesaid shall be lodged by them, within twenty days thereafter, with the clerk of their respective counties, to be by him safely kept.

Bonds to be lodged, &c.

**XLVI. AND BE IT ENACTED,** That if either of the said two justices of the peace shall omit or neglect the duty enjoined and required, as to the making the contracts, and taking and lodging the bonds aforesaid, he shall forfeit and pay the sum of twenty pounds current money.

Penalty for neglect; &c.

**XLVII. AND BE IT ENACTED,** That any sum of money the said two justices aforesaid may contract for as aforesaid shall be allowed in the next county assessment after the performance of such contract, and shall be deducted out of the money arising due for the rent of the warehouses for which such money may be paid, until the county shall be fully reimbursed.

Sums to be allowed, &c.

**XLVIII. AND**