

or any of them, to the Inspector, to be by him, received and inspected, and the said Inspector shall refuse to pass them, or any of them, and the Owner or Owners of the said Tobacco, or any other Person or Persons by his, her, or their Privity, Consent, or Procurement, shall either secretly or openly carry the said Tobacco, or any Part thereof, away from the said Warehouse, before the same hath been viewed, and passed according to Law, the said Owner or Owners shall forfeit and pay the Quantity of Sixteen Hundred Pounds of Tobacco for every Hoghead of Tobacco so carried away.

C H A P.
L.
received or
passed.

XCII. And be it enacted, That the Inspectors of Tobacco, at the several Warehouses within this Province, shall immediately on the Delivery of every Hoghead, Cask, Case, or Parcel of Tobacco, at the Warehouses whereof they are Inspectors, weigh, and give a Receipt for such Tobacco, if required by the Proprietor or Person bringing the same to the said Warehouse, expressing therein, that the same is for uninspected Tobacco; which Receipt shall be given up to the Inspectors, upon the said Tobacco's being inspected, and before the Inspectors shall be obliged to deliver Notes therefor.

Inspectors to
give Receipts
for uninspect-
ed Tobacco,
&c.

XCIII. And be it further enacted, That if any Person, other than the Inspectors, shall hereafter make any Fire within any public Warehouse, or without Doors, within the Space of Fifty Yards from such Warehouse, such Person, if a Freeman; shall, for every such Offence, forfeit and pay the Sum of Six Hundred Pounds of Tobacco, and if a Servant or Slave, he or she shall, by Order of any Justice within such County, receive, on his or her bare Back, a Number of Lashes not exceeding Thirty-nine for every such Offence.

Penalty on
making Fires
in or near
Warehouses.

XCIV. And be it further enacted, That it shall not be lawful for any Person whatsoever to erect or build, or cause to be erected or built, any Wooden Chimney within One Hundred Yards of any public Warehouse in this Province; and where any Wooden Chimnies are already built, within the Distance aforesaid from any public Warehouse, the Owner or Proprietor of the said Chimnies shall pull down the same, or, on Refusal or Neglect so to do in Twelve Months after the passing this Act, it shall and may be lawful for the Sheriff of the County, and he is hereby required, to cause such Chimnies to be pulled down and demolished.

Wooden
Chimnies not
to be erected
within 100
Yards of any
Warehouse,
&c.

XCIV. And be it enacted, That in all Actions founded on this Act against seafaring Men, or Persons about to depart the Province, it shall and may be lawful, for the Justices of the Court in which such Action shall be commenced, upon Affidavit of the Plaintiff or other Evidence of the Fact, and his Cause of Action given to the Satisfaction of the Court, to award special Bail against any Defendant or Defendants in such Action, and for Default of such Bail, to commit such Defendant or Defendants to the Custody of the Sheriff, until the Defendant or Defendants shall put in such special Bail, any Law, Usage, or Custom to the contrary notwithstanding.

In Actions
founded a-
gainst seafar-
ing Men, &c.
Justices to a-
ward special
Bail, &c.

XCVI. And, Whereas the Inspection heretofore established in *Dorchester*, at *Plymouth*, is by this Act discontinued, and one other Inspection, instead thereof, appointed to be on the Land of *John Atry*, near the Mouth of *Slaughter Creek*, in *Dorchester* Parish in the said County; Be it enacted, That the Justices for the said County, for the Time being, shall, and they are hereby directed and required, at their next *March* Court, to sell by Way of public Vendue, for ready Money only, to the

Plymouth
Warehouse to
be sold, and
the Title
vested in the
Purchaser.