

XXIX. Be it enacted, That if any person, taking upon himself to carry any tobacco, to or from any of the said warehouses, in his vessel for hire, shall take on board, or permit or suffer to be taken on board, any tobacco in bulk or parcels, such tobacco (except as before excepted) shall be forfeited, and may be seized by any person, and such master or skipper, offending herein, shall forfeit and pay two hundred and forty pounds of tobacco for every hundred pounds of tobacco, and so proportionably for a greater or lesser quantity; and if such vessel be under the care and management of a servant, who cannot satisfy and pay the penalty, then such servant shall, upon complaint thereof made to any justice, receive, by order of the said justice, on his bare back, any number of lashes not exceeding thirty-nine, well laid on; and if such servant shall be again trusted with the care and management of any such vessel, and shall be convicted a second time of taking or receiving on board the same any tobacco in bulk or parcel, contrary to the directions of this act, the owner of such servant shall forfeit and pay the like sum of two hundred and forty pounds of tobacco for every hundred pounds of tobacco, and so in proportion for a greater or lesser quantity, so taken or received on board in bulk or parcel, and shall also forfeit and pay sixty pounds of tobacco for every day such servant shall thereafter be employed as skipper or master of any such vessel to him belonging.

C H A P.
XIV.

Persons not to
take on board
tobacco in
bulk, &c.

XXX. Provided always, That nothing herein before contained shall be construed to prohibit any person from carrying, or causing to be carried, to any warehouse, in any boat or other vessel, any tobacco in bulk or parcels, nor to prohibit any person to put or take on board any vessel, any hogheads, casks, or cases of tobacco, to be waterborne to any warehouse, so as the same be not carried out of the naval officer's district wherein the said tobacco shall be made, nor to prohibit the owner of any tobacco to transport his crops, or any part thereof, in hogheads, casks, or cases, from one place to another, for the better handling and managing thereof, nor any purchaser of tobacco from bringing the same by water, to be repacked, sorted, stemmed, or prized, before the same be carried to any warehouse, so as such last mentioned tobacco be packed in hogheads, casks, or cases.

Proviso.

XXXI. And be it enacted, That it shall not be lawful for any skipper of any vessel to take any tobacco (except as before excepted) from any warehouse within this state, in order to carry the same on board any vessel for exportation, before such skipper shall make oath or affirmation (if a quaker, menonist, or dunker) before the inspector, who is hereby authorized and required to administer the same, under the penalty of eight hundred pounds of tobacco for every neglect, "That all such tobacco which he shall, from time to time, take on board such vessel, he the said skipper will, with all opportunity of wind and weather, convey, or cause to be conveyed, on board such vessel to which it shall be directed by the owner or owners thereof, to be loaded for exportation, and that he the said skipper will not take, nor suffer to be taken, by any person whatever, any tobacco out of such hoghead or hogheads, and that he will not wilfully damage, or suffer to be damaged, such tobacco, whilst the same shall be under his care and management;" and if any skipper as aforesaid shall refuse or delay taking the oath or affirmation aforesaid, in manner and form aforesaid, such

Skipper to
make oath,
&c.