

is hereby authorized and empowered to administer such oath, and shall deliver such bond to the clerk of the court of his county, to be by him recorded and transmitted, as is by the said act directed.

C H A P.
XXXIX.

VII. And be it enacted, That every commissioner of the tax, who shall at any time neglect or refuse to meet, according to the directions of this act, to elect and appoint an inspector or inspectors, or being met, shall neglect or refuse to elect or appoint, by means whereof an inspector or inspectors for any warehouse shall not be appointed, or who, on notice given of the death, resignation, refusal, or removal, of an inspector, shall refuse or neglect to procure a meeting of three or more of the said commissioners as aforesaid, shall for every such offence forfeit and pay the sum of one hundred pounds current money.

Penalty on
commissioners
refusing to act,
&c.

VIII. And be it enacted, That all such parts of the said act for the regulation of the staple of tobacco, as relate to the recommendation of persons nominated to be inspectors, and to the appointment of such persons to the office of inspector by the governor and council, and to the filling up of vacancies in the said office, shall be and are hereby repealed and made void.

Part of an act
repealed.

IX. And, Whereas by the said act no tobacco can be transported or carried out of the state, either by land or water, without entry thereof first made with some naval officer of the state, and his permit obtained for that purpose; and by the said act it is provided, that in all cases where tobacco is carried out of this state, or removed from the warehouse with intention so to be carried or transported, and no duty thereon is paid at the naval office, the duty of five shillings imposed on other tobacco shall be paid to the inspector or inspectors at the several warehouses before the same be removed: And whereas it has been found inconvenient to the proprietors of tobacco intended to be carried to Virginia, Pennsylvania, and Delaware, first to make an entry thereof with some naval officer, and obtain his permit for the removing of the same:

X. Be it enacted, That in all cases where tobacco is intended to be carried by land out of this state, or by water to the Head of Elk, Back-creek, or other creeks or rivers, and thence by land into the Delaware state, Pennsylvania, or Virginia, the inspector or inspectors of the warehouse where the same is inspected shall be and is hereby authorized to detain and stop all tobacco, until the master or owner of the said vessel demanding such tobacco shall ascertain the place of the intended delivery on oath, to be administered by the said inspector or inspectors, "that all tobacco which he shall take on board such vessel he will, with all convenient opportunity of wind and weather, convey or cause to be conveyed to _____ as he is directed by the owner or owners thereof, and that he will not take, or 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 remain under his care;" and that he pay to the said inspector the aforesaid duty, and all his charges for rent and assessment; and the said inspector shall make out and deliver a fair manifest of the whole load, and give a receipt for the amount of the duty by him received, and the said inspector shall pay the said duty, rent, and

Inspectors
may detain to-
bacco intend-
ed to be car-
ried by land,
&c.