

shall be taken for a confession, without some reasonable excuse be given for the same. C H A P. LXI.

XLII. 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 twenty pounds current money. County clerk to provide a book, &c.

XLIII. 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 without sufficient covering, &c.

XLIII. 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 November 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 a sum not exceeding twenty pounds current money, and also shall be liable to the 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 Justices and inspectors to meet, &c.