

C. H A P.
XXVI.How vacan-
cies are to be
filled.

IX. **And be it enacted,** That if any inspector shall refuse to act, or after acceptance shall resign, die, remove out of the county, or be rendered incapable to act, the governor, with the advice of the council, is hereby authorized and requested to appoint and commission any other person mentioned in the last recommendation from the said justices in the place of the person who shall refuse, resign, die, remove, or be incapable to act, for the residue of the year; and if it should happen that so many of the persons recommended should refuse, die, resign, remove, or be incapable to act, so as not to leave a choice out of such recommendation, the governor, with the advice of the council, is hereby authorized and required to appoint and commission such person as they may think proper for the residue of the year.

Governor, &c.
to furnish col-
lectors with a
list, &c.

X. **And be it enacted,** That the governor and council shall annually, on or before the first day of March, furnish the collectors of the United States in this state with a list of the names of the several inspectors in this state, and their respective warehouses annexed.

Inspectors to
transmit a list
of all tobac-
co, &c.

XI. **And be it further enacted,** That the several inspectors shall annually, on or before the tenth day of November, transmit to the governor and council a general list of all tobacco delivered by them respectively, containing full and particular accounts of the several manifests by them made out for tobacco shipped from their respective warehouses the preceding year, the dates of each manifest, and by whom shipped, and the governor and council are required and directed to obtain from the collectors of the several ports in this state annually, the original manifests of the inspectors, or attested copies thereof, and to examine and compare them with the copies of the manifests received from the inspectors, and in case it should be discovered from such examination and comparison, that any forgery, alteration or interlineation, has been practised or made use of with respect to any of the said manifests lodged with the collectors; the governor and council shall order the attorney-general to commence a prosecution on behalf of the state against the persons who shall appear to have so forged, altered or interlineated, any such manifest or manifests.

Manufactured
tobacco may
be exported,
&c.

XII. **And, to encourage the manufacturing tobacco within this state, and the export thereof, Be it enacted,** That any tobacco manufactured in this state, that is, spun, cut or shag, for chewing or smoking, or made into snuff, may be exported out of this state, provided the person desiring to export any of the said species or kinds of manufactured tobacco shall deliver to the collector of the district in which such manufactured tobacco shall be laden for exportation a manifest thereof, in which shall be expressed the number and mark of the case or package, and the weight of the tobacco, and the species thereof, with an oath or affirmation of the owner, or of some credible person, endorsed on the manifest, to the truth thereof, and that the tobacco therein expressed was actually manufactured within this state, provided no case or package of such tobacco shall contain above two hundred pounds weight.

Inspectors to
take the oaths
to govern-
ment, &c.

XIII. **And be it enacted,** That if any person appointed an inspector hath not heretofore taken the oaths or affirmations, as the case may be, directed by the constitution, and subscribed a declaration of his belief in the christian religion, he shall do the same before he acts as inspector, under the penalty of one hundred pounds current money; which oaths or affirmations any justice of the peace may administer.

Their oath of
office.

XIV. **And be it enacted,** That every inspector, before he acts as such, shall, under the penalty of one hundred pounds current money, take the following oath or affirmation of office, as the case may be, to wit: "I, A. B. do swear, or solemnly, sincerely and truly declare and affirm, that I will diligently and carefully uncase, break, or cause the same to be done in my presence, and examine, all tobacco brought to the warehouse where I am appointed to be inspector, and all other tobacco I shall be called upon to view and inspect at the said warehouse, or at any other public warehouse, and that I will not receive any tobacco that is
not,