

C H A P.
LXIII.

quantity of tobacco for which such note shall be given, under the penalty of one hundred dollars for every such offence.

Every hogshead to be entered in a book, &c.

XXIV. AND BE IT ENACTED, That the inspector or inspectors shall carefully enter into a book to be provided and kept for that purpose alone, every hogshead of tobacco viewed, passed and marked, by him or them, and the quality thereof, mark, and warehouse number, with the gross, tare and net weight, of all such tobacco, and in what vessel the same shall be laden, and shall send with every load of tobacco a manifest thereof, or a separate manifest for each hogshead of tobacco, if required, containing the numbers, gross, tare and net weight, and marks, of every hogshead of tobacco, to be delivered to the master of the vessel in which the same shall be put on board for exportation, in all which manifests the number of hogsheads contained shall be expressed in letters, and not in figures; and if the tobacco delivered is intended to be put on board several vessels, then the inspector or inspectors shall deliver separate manifests for the hogsheads intended to be put on board each vessel, which manifest or manifests every master is required to produce to, and lodge with, the collector of the district where the vessel whereof he is master shall ride, or by whom he shall be cleared out, sometime before her clearance; and as it may happen that the vessel in which such tobacco was intended to be put may be so full as not to be capable of stowing all the tobacco contained in such manifest, or by springing a leak, or other accident, it may be necessary to reland the same, in such cases it shall and may be lawful to ship the said tobacco, or any part thereof, on board any other vessel, if the owner thereof shall think fit, or if there be no vessel to receive the said tobacco, then it shall and may be lawful for the master of the first mentioned vessel to put the said tobacco in the nearest warehouse to the place where such vessel shall ride, and the inspector or inspectors of the warehouse where such tobacco shall be delivered shall receive from the person relanding the same the sum of forty cents for every hogshead so landed, and shall give a receipt for the same, and shall cause the said tobacco to be safely lodged and delivered to the owner, or his order, when required, without any other fee or reward, and one half of the money so received shall be paid to the owner of the warehouse, and the other half shall be retained by the inspector or inspectors, and accounted for at the time of settling his or their accounts with the next levy court.

Tobacco not to be passed unless packed, &c.

XXV. AND, for preventing the packing of tobacco in unsizeable casks, BE IT ENACTED, That no tobacco shall be passed or accounted lawful tobacco, except tobacco in parcels, unless the same shall be packed in hogsheads not exceeding forty-eight inches in the length of the stave, and seventy inches in the whole diameter within the staves at the crose and bulge; and the owner of tobacco packed in any hogshead of greater dimensions shall repack the same in sizeable hogsheads, as herein before expressed, at his own expence, before the same shall be passed.

Penalty for forging manifests, &c.

XXVI. AND BE IT ENACTED, That if any person shall forge or counterfeit any manifest or note of any inspector or inspectors, or alter the quantity or quality of tobacco expressed in such manifest or note, or shall offer, or cause to be offered in payment, any such forged, counterfeited or altered manifest or note, knowing the same to be forged, counterfeited or altered, and shall be thereof convicted in the general court or any county court, or shall refuse to plead, he shall be publicly whipped not exceeding thirty-nine lashes, or fined in any sum not exceeding three hundred dollars, or shall be sentenced to hard labour for any term not exceeding seven years, or all of them, in the discretion of the court.

And for exporting tobacco with a forged stamp, &c.

XXVII. AND BE IT ENACTED, That if any person shall export, or cause to be exported, any hogshead of tobacco marked with a forged or counterfeited mark, or demand tobacco of any inspector or inspectors upon any forged, counterfeited or altered manifest or note, knowing such manifest or note, or such mark, to be forged, counterfeited or altered, every person so offending, and being thereof convicted, shall receive thirty-nine lashes on his or her bare back, or be sentenced to hard labour not exceeding seven years, or be fined not exceeding three hundred dollars, or all of them, in the discretion of the court; and if any person shall put or pack any tobacco into any hogshead marked by any inspector or inspectors in lieu of tobacco inspected, or shall draw or take out any stave, plank or heading board, of any hogshead of tobacco, after it shall be delivered out from any public warehouse, unless it be for the purpose of examining the quality of the tobacco by a person intending to purchase the same, every person so offending, upon conviction thereof, shall be fined a sum not exceeding one hundred dollars, if free, and if a servant or slave, shall be whipped not exceeding twenty lashes, and in all such cases the testimony of the inspector or inspectors may be admitted as evidence.

XXVIII. AND