

longing thereto, shall be sold by the order of the said justices, and the sales thereof applied to the use of the county, and if they shall declare that the number of inspectors are too few or too many at any warehouse, the governor, with the advice of the council, may appoint and commission, out of the last recommendation, as many persons as may be necessary, or in the last case, take as many out of the appointment and commission as may be requisite.

C H A P.
LXIII.

XLVII. AND BE IT ENACTED, That when any warehouse or warehouses shall be declared to be unnecessary, and shall be discontinued, that it shall be the duty of the inspector or inspectors at such warehouses to send the tobacco remaining in such warehouse to the warehouse most convenient thereto, the expence of which he shall charge to the county, to be credited in his account, or levied for him if he should not be in arrears to the county; and the inspector at the warehouse to which the same is sent shall be accountable for the same.

Inspectors to
send tobacco,
&c.

XLVIII. AND BE IT ENACTED, That for every hogshead of tobacco inspected after the commencement of this act in the counties of Calvert, Prince-George's and Somerset, there shall be paid to the inspector or inspectors who shall deliver the said tobacco, the sum of seventy-five cents, and for every hogshead of tobacco inspected in the counties of Baltimore, Saint-Mary's, Charles, Worcester, Dorchester, Anne-Arundel, Talbot and Queen-Anne's, there shall be paid the sum of one dollar by the person receiving the said tobacco, at the time of delivery thereof, and the said inspectors shall account for and pay all such monies by them received to the justices of the levy court of their county, who shall, out of such monies, pay the proprietors of the warehouses, within one month after such account shall be settled, a sum of money, in their discretion, not exceeding sixty-seven cents, nor less than twenty-five cents, for every hogshead inspected, passed and lodged, in their respective warehouses, and the inspectors salaries, and also all other expences incurred in virtue of this act.

Their allow-
ance, &c.

XLIX. AND BE IT ENACTED, That every hogshead of tobacco that shall be unexported after being twelve months in any public warehouse established by this act, shall be chargeable with four cents per month for every month any hogshead of tobacco shall be over and above the said term of twelve months, and the inspector or inspectors are hereby directed to receive and pay the same to the order of the levy court, if such warehouse belongs to the county, if not, to the owner or proprietor of the warehouse, except that in the warehouses in the city of Baltimore there shall be paid for every such hogshead of tobacco at the rate of twelve and an half cents per month.

Charge for
warehouse
room, &c.

L. AND BE IT ENACTED, That if any action shall be commenced against any person for any thing done in pursuance of this act, he may plead the general issue, and give this act and the special matter in evidence at the trial, and that the same was done in pursuance and by authority of this act; and if it shall appear to have been so done, then the court shall direct the jury, and they shall accordingly find for the defendant, and if the plaintiff be nonsuited, or discontinue his action, or if judgment shall be given upon demurrer or verdict against the plaintiff, the defendant shall recover double costs.

General issue
pleadable.

LI. AND BE IT ENACTED, That all prosecutions and actions for the recovery of any penalty or damages for any breach of this act, shall be commenced within one year after the offence committed, or damage done, and not afterwards; and all actions commenced against any person or persons making any seizure under this act, or doing any thing in consequence of the provisions in this act, shall be brought within one year after the seizure made, or act done, and not afterwards.

Actions, when
to be com-
menced, &c.

LII. AND BE IT ENACTED, That the several inspectors of tobacco at each warehouse in this state shall settle their respective accounts with the levy courts annually, at their meeting for the purpose of laying their county levy.

Inspectors to
settle, &c.

LIII. AND, whereas a warehouse has been erected in the city of Annapolis for the reception of tobacco, by individuals, who have furnished the same with scales, weights, ropes and prizes, at their own expence, BE IT ENACTED, That if the justices of the levy court of Anne-Arundel county shall continue the said warehouse, the owner or owners of the said warehouse be and they are hereby empowered and authorised to levy and receive, from the owner or owners of tobacco, thirty cents per hogshead for all tobacco by him or them received, kept, and delivered in good order, within one year, and six cents for every month thereafter they shall take care of the said tobacco after the expiration of the said one year, until the same shall be delivered in good order, agreeably to the regulations of this act.

Owners may
charge, &c.

LIV. AND,