

Session Laws
p. 27

Conscience, without Fear, Favour, Affection, Malice, or Partiality: Which said three Justices, so sworn, are hereby directed, impowered, and required, upon such Application, to repair to the Warehouse where such Tobacco shall be offered or tendered in Payment, and carefully to view and examine the same, in such Manner as they shall think fit: And if any two of them shall adjudge the Tobacco so tendered in Payment, to be bad, unsound, or unmerchantable, to cause the same to be immediately burnt. And for their Trouble, the said three Justices, who shall be present at such View, shall be paid by the Inspector or Inspectors, who offered the same in Payment, five Shillings each. And if the said Justices, or any two of them, shall adjudge the Tobacco, so tendered or offered in Payment, to be good, sound, and merchantable, according to the Directions of this Act, the said Justices so attending, shall be paid by the Party desiring such View five Shillings as aforesaid. And when any Tobacco shall be tendered or offered in Payment by any Inspector, and refused, the said Inspectors shall not be at Liberty to tender or offer in Payment, nor the Person demanding the same to receive, any Tobacco in lieu thereof, before such Tobacco shall have been viewed as aforesaid; but the Person refusing shall immediately mark the same. And if any Inspector shall offer or tender in Payment any Tobacco, in lieu of the Tobacco so refused, before the same shall have been viewed as aforesaid, or shall not produce the same Tobacco so refused, to the said Justices, in either Case, it shall be taken for a Conviction, that the Tobacco first tendered in Payment, was bad, unsound, and unmerchantable: And moreover, the said Inspectors shall forfeit and pay ten Pounds for every such Offence. And if the Person, who shall refuse any Hogshead of Tobacco as aforesaid, shall accept and receive another Hogshead of Tobacco, in lieu of that refused, before such Hogshead so refused shall be viewed as aforesaid, he shall forfeit and pay ten Pounds for every Hogshead.

What is to
be done by
the Owner
of Tobacco
refused to
be passed by
the Inspectors, &c.

And when any prized Tobacco shall be brought to any public Warehouse, in order to be shipped on Freight, and the Inspectors there attending shall refuse to pass such Tobacco, unless such as shall be bad and unmerchantable be picked and separated from the rest; in such Case, the said Inspectors shall permit the Owner, or other Person bringing such Tobacco, to make use of one or more of their Prizes, for the repacking and prizing such Tobacco. And if there shall be several Hogsheads of Tobacco, belonging to several Owners, to be picked, repacked, and prized, at any public Warehouse, the Owner, or other Person bringing the same, whose Tobacco shall be first viewed and refused, shall be first permitted and allowed to make use of such Prize or Prizes; and the same Rule shall be observed in the prizing all Tobacco which shall be picked, repacked, and prized as aforesaid. And for all Tobacco repacked, and prized, by the Owner thereof, or the Servants and Slaves to him belonging, there