

mentioned and Appointed every Person so offending and being there- of Convicted shall for every such Offence forfeit and pay Sixteen hundred Pounds of Tobacco to be recovered in any Court within this Province to the Uses in this Act hereafter mentioned

Liber H. S.
No. 1
[Penalty]

And be it further enacted that when any Person shall be entitled to receive a Hogshead of Tobacco by Virtue of any Inspector or Inspectors Notes or Receipts the Inspector or Inspectors shall be Obligated to open the Hogshead and shew such Tobacco to the Person Demanding the same and also reweigh the same if Required Whether such Tobacco be Crop or Transfer and if such Person shall refuse to Accept of the Tobacco offered or Tendered in Payment as bad unsound and unmerchantable such Person so refusing and not Accepting thereof shall make immediate Application to any one Justice of the Peace in the County where such Warehouse shall be at which the Tobacco so refused shall be offered or Tendered in Payment who is no ways related to the Parties now concerned in Interest and the said Justice by Warrant under his Hand shall immediately Ap- point three of the most able Planters well skilled in Tobacco and who are no ways related to the Parties or concerned in Interest to view and Examine the said Tobacco which said three Planters so as aforesaid Appointed shall immediately repair before some Justice and shall take an Oath or Affirmation if a Quaker before such Justice which Oath or Affirmation such Justice is hereby impowered and re- quired to Administer carefully to View and examine the said Tobacco and to the best of their Skill and Judgment not to pay any Tobacco that not sound well Conditioned Merchantable and Clear of Trash According to the Directions of this Act and that they will therein do their duty According to their Judgment and Conscience without fear Favour Affection Malice or Partiality which said three Planters 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 or any part thereof so tendered or offered in Payment to be bad unsound or Unmerchant- able to Cause the same to be immediately burnt unless the said In- spector or Inspectors shall desire to Pick the same in which Case the said three Planters Chosen to view such Tobacco as aforesaid shall Cause the said Inspector or Inspectors to pick the same and shall Cause the bad unsound and unmerchantable Tobacco therein to be burnt and for their Trouble the said three Planters who shall be Present at such View shall be paid by the Inspector or Inspectors who offered the same in Payment forty Pounds of Tobacco each and if the said Planters or any two of them shall Adjudge the To- bacco so Offered or tendered in Payment to be good sound and Merchantable According to the directions of this Act the said

[If any Dis- putes arise about the quality of Tobacco, the same to be decided by 3 skillful planters ap- pointed by a Magistrate]

[The 3 Planters to be sworn]

p. 474

[The Judg- ment of 2 of them to de- termine]

[Their Fees, by whom paid]