

## INSPECTORS.

to be recovered, if not exceeding 600<sup>lb</sup> Tobacco, before any County Magistrate; but, if above that Sum, then to be recovered in the County Court. One Half of all such Penalties to the Informer, the other Half to the defraying the County Charge of Inspecting. *Ibid.* §. 116.

36. Persons entitled to receive inspected Tobaccos, may oblige the Inspectors to open the Hogshead, and shew the Tobacco, and re-weigh the same, whether it be Crop or Transfer. And if such Person shall refuse to accept the same in Payment, as bad, &c. he shall apply to a County Magistrate, no way related to the Parties, or concerned in Interest, who, by his Warrant, shall appoint Three skilful disinterested Planters, which Planters (having first taken an Oath, &c. for which see the Act) shall repair to the Warehouse, and view the Tobacco in such Manner as they shall think fit: And, if any Two of them shall judge the same, or any Part thereof, to be bad, &c. shall cause it to be immediately burnt, unless the Inspectors shall desire to pick it; which being done, they shall cause the bad Tobacco therein to be burnt; and, for their Trouble, shall be paid by the Inspector who tendered the same, 40<sup>lb</sup> Tobacco each. But, if any Two of them shall judge the Tobacco to be good, &c. then the Party desiring the View, shall pay them 40<sup>lb</sup> Tobacco each, as aforesaid. Tobacco, so tendered and refused, shall not be tendered in Payment by any Inspector; nor shall the Person refusing the same, receive any Tobacco in Lieu thereof, before it be viewed as aforesaid, but shall immediately mark the same. Inspectors offering Tobacco in Lieu of the Tobacco so refused, before being viewed as aforesaid, or not producing the same to the Viewers, shall forfeit 1600<sup>lb</sup> Tobacco for each Offence; and the Person accepting another Hogshead of Tobacco in Lieu of one refused, before such View, shall forfeit 1600<sup>lb</sup> Tobacco for every Hogshead. But where Two Inspectors, in the same Inspection, shall disagree concerning the Quality of any Hogshead of Tobacco; and that, on Review thereof as aforesaid, the same, or any Part thereof, shall be condemned by the Reviewers, or burnt, then the Inspector who was against first passing the same, shall not be burthened with making Satisfaction; but the other Inspector, who was for passing it, shall be burthened with the whole. *Ibid.* §. 62 and 63.

37. Inspectors, if required, shall alter the Mark of any Hogshead for which they have given a Receipt; and, for preventing Mistakes, shall enter the Marks, &c. of all Hogsheads received; and, in another Book, the Marks, &c. thereof when delivered out. *Ibid.* §. 64.

38. Inspectors shall sell all Transfer Tobacco, which shall not be received and marked, (as directed, Art. 33,) on the second Day of November Court, yearly, if fair Weather, if not, on the next fair Day of the same Court, by public Auction, in single Hogsheads; and shall pay the Money arising by such Sale, at the averaged Price of the Tobacco sold belonging to each House, in Satisfaction of their Notes, to the Proprietors, on Demand; under the same Penalty (see Art. 22,) as for not paying Inspectors Notes. *Ibid.* §. 66.

39. Inspectors shall, Ten Days before November Court, yearly, lodge with the respective County Clerks, an Account, upon Oath, of all Transfer Tobacco then in their Hands, before exposing it to Sale; and shall keep and exhibit a true Account, upon Oath, of the Tobacco gained upon Allowances for Cask or Shrinkage, and sell the same, as before directed in the Case of Transfer Tobacco not received, and shall account for the Money to the Justices. Nor shall any Inspector convert any Tobacco, so gained or saved, to his own Use. *Ibid.* §. 67.

40. Inspectors shall, annually, in November Court, after the Sale of Transfer Tobaccos, and One Day before laying the Levy, account with the Justices, upon Oath, for all Money and Tobacco (except what is

## INSPECTORS.

paid for Nails) by them received for every Transfer Hogshead: In which Account shall be allowed their Salaries, Warehouse Rent, Purchase of Hogsheads, and other necessary Disbursements in pursuance of this Act. And shall pay the Proprietors of Warehouses their Rents, in the same Proportion of Money and Tobacco as they shall in the Whole receive in that Year on Account of the several Warehouses. *Ibid.* §. 68.

41. If, at laying the Levy, there shall remain any Claim arising from Inspectors Salaries, or other annual Charge, from any Inspecting House within the County, the Justices shall, yearly, at November Court, assess a Quantity of Tobacco on the Taxable Inhabitants, sufficient to discharge the same. *Ibid.* §. 69.

42. The Inspectors of the several Warehouses shall, on the First Day of August Court, yearly, return to the Court a distinct List of the Marks, Numbers, Tare and nett branded Weight of every Hogshead of Tobacco, then in their several Warehouses, which have been inspected above Three Years, to be lodged with the County Clerk. And the Justices shall cause a Copy of such Lists to be immediately set up at the Court-House Door, advertising the Tobacco therein mentioned to be sold the Third Day of that Court, if fair Weather, if not, the next fair Day: And shall sell the same accordingly, in single Hogsheads, at Public Vendue; and apply the Produce to defraying the County Charge. And, if the Owner shall thereafter claim and make appear his Property to the same, the Justices shall assess, in the next County Levy, such Sum as the Tobacco sold for, for the Use of the Owner. *Ibid.* §. 150.

43. But, if the Owner of any Hogshead of such Litted Tobacco shall, within Two Months next before such Court of Sale, give Notice in Writing to the Inspector, of his being Owner thereof, describing the Mark, Number, and nett Weight of such Tobacco, and that he is unwilling the same should be sold, such Notice shall be, by the said Inspectors, returned and lodged with the said List: And such Tobacco shall be marked in the Copy, *Not to be Sold*, nor shall the same be sold. But no old Tobacco, so litted, shall thenceforward be allowed a legal Tender in any Tobacco Payment whatsoever. *Ibid.* §. 151, 152.

44. Every New Inspector, elected in the Room of an Inspector who served the preceding Year, shall, within Ten Days after his being qualified, make out Two Lists of all the Hogsheads of Tobacco then in the same House being, (and which shall be delivered to him well nailed, lined, and fit for shipping, by the old Inspector) describing the Marks, Numbers, &c. stamped thereon, and sign a Receipt, at the Foot of each List, of the Hogsheads so received: Which Lists shall be delivered to the old Inspector, and one of them shall by him be lodged with the County Clerk, under Penalty of 8000<sup>lb</sup> Tobacco, on each Inspector neglecting to make such Lists, and the same on the old Inspector neglecting to lodge the same with the County Clerk, to be recovered and applied as before directed. And the New Inspectors shall be answerable to the Owners of the Notes in the said Lists mentioned, so far as to be obliged to produce the same Hogsheads belonging to any Owner, and also to the old Inspector for all Damages happening to such Tobacco through his Negligence. *Ibid.* §. 146.

45. County Courts shall hear and determine, in a summary Way, all Complaints against Inspectors; and if such Inspectors be found deficient in their Duty, may remove them; and with all convenient speed, notify such Removal to the Governor, &c. Provided such Inspector be summoned to appear, &c. and if he will not appear, his Non-Appearance shall be taken for Confession, unless reasonable Excuse be given. *Ibid.* §. 56.

46. No Inspector, during his Continuance in that Office, nor within two Years next after, shall be capable of being elected, or shall intermeddle (otherwise