

lost or mislaid, and shall be thereby discharged from all actions and demands on account of such notes; and if any person shall be convicted of taking a false oath or affirmation, he shall suffer as in case of wilful and corrupt perjury, and shall forfeit and pay to the party grieved fifty dollars for every hundred pounds of tobacco specified in such certificate, and so in proportion for a less quantity; and any person selling or producing a forged certificate, knowing the same to be forged, in the case aforesaid, shall, upon conviction, be fined a sum not exceeding one hundred and fifty dollars, or shall stand in the pillory not exceeding two hours, or both, in the discretion of the court, and shall pay to the party grieved fifty dollars for every hundred pounds of tobacco specified in such certificate; *Provided always*, that no person shall be entitled to receive a new note in lieu of any note lost, destroyed or mislaid, as aforesaid, unless he or she shall advertise the same within twenty days after such note is first discovered to be lost, mislaid or destroyed, at the courthouse door of the county, and the warehouse at which such tobacco was inspected.

Proviso.

SEC. 29. *And be it enacted*, That if any hogshead of tobacco shall be brought to any warehouse for inspection, and the inspector or inspectors shall refuse to pass the same, and the owner, or other person bringing such tobacco, will undertake to pick and separate the good from the bad, the said inspector or inspectors shall allow the use of one or more of their prizes for prizing such tobacco so separated and repacked in the said hogshead; 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 examined and refused, shall be first permitted 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.

In case of inspector's refusing to pass tobacco, owner may separate good from bad, and have the use of prizes to repack the same.

SEC. 30. *And be it enacted*, That no inspector or inspectors shall take or convert to his or their own use, or otherwise dispose of, any draughts or samples of tobacco drawn out of any hogshead, but the same, if fit to pass, shall be delivered to the owner, or other person offering the same for inspection, under the penalty of seventy-five cents.

Penalty on inspector for converting samples to his own use.

By 1821, ch. 194, sec. 3, samples are to consist of not less than three bundles of the average quality of the hogshead.

By 1822, ch. 172. not to retain them without the assent of the owner.

SEC. 31. *And be it enacted*, That the justices of the levy courts shall hear and determine all complaints against any inspector in a summary way, and if found guilty of any breach of duty required by this act, shall remove every such inspector, and immediately after transmit a copy of the complaint, and of

Levy court to hear all complaints against inspectors, and transmit pro-