

## CHAP. 63.

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.

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.

Penalty on inspector for converting samples to his own use.

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.

Levy court to hear all complaints against inspectors, and transmit proceedings thereon to the governor and council.

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 their proceedings thereon, to the governor and council; and if the inspector shall think himself injured by the judgment of removal, he may appeal therefrom to the governor and council, and they may, in a summary way, rehear the case, and displace such inspector, or continue him in his office, and if removed, he shall pay the expenses of any witnesses; and the person complaining of the conduct of such inspector, if the justices shall not remove him, may appeal from their judgment to the governor and council, who are hereby empowered to summon and compel the attendance of such witnesses as may be necessary, or to order and direct that depositions shall be taken on such terms as they may prescribe, and they may rehear and review the case, and continue or displace such inspector, and if not displaced, the person so appealing shall pay the costs of the witnesses; and in all cases of removal, the governor, with the advice of the council, may appoint and commission some other person out of the last recommendation for the residue of the year; *Provided always*, that the inspector complained against shall be summoned to appear and make his defence, but if in case he shall not appear, his default shall be taken for a confession, without some reasonable excuse be given for the same.

Proviso.

County clerk to record proceedings of justices.

32. AND BE IT ENACTED, That the clerk of each county within this state, except the counties herein before excepted, shall provide a well bound book, and record therein all the proceedings of the justices relating to this act; and that it shall be the duty of the clerk of the several county courts for the time being to attend them on all occasions relating to this act in their respective courts, and at their meetings at the court-house, and that he shall make fair and just entries of the proceedings of the said justices, and do all other necessary services in relation to this act which shall be required of him by the justices aforesaid, for all which services he