

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 unmerchantable, to cause the same to be immediately burnt, unless the said Inspector 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 Tobacco so offered or tendered in Payment, to be good, sound, and merchantable, according to the Directions of this Act, the said Planters so attending shall be paid by the Party desiring such View, Forty Pounds of Tobacco each, as aforesaid. And when any Tobacco shall be tendered or offered in Payment by any Inspector, and refused, the said Inspector or 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 Viewers, 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 Sixteen Hundred Pounds of Tobacco for every such Offence. And if the Person, who shall refuse any Hoghead of Tobacco as aforesaid, shall accept and receive another Hoghead of Tobacco, in lieu of that refused; before such Hoghead so refused shall be viewed as aforesaid; he shall forfeit and pay Sixteen Hundred Pounds of Tobacco for every Hoghead.

C H A P. XVIII.

The Judgment of two of them to determine, &c.

Their Fees; and by whom to be paid.

Tobacco so offered, and refused, not to be changed without being viewed, as aforesaid.

Penalty on the Inspector offering, and the Person accepting other Tobacco.

LXIII. Provided always, and be it Enacted, That where Two Inspectors in the same Inspection, shall disagree as to the Quality of any Hoghead or Hogheads of Tobacco, and that a Review shall be required, and such Hoghead or Hogheads, or any Part thereof, shall be by such Reviewers adjudged unmerchantable, or be burnt by the Directions of this Act, that then, and in such Case, the Inspector who was against first passing such Tobacco or Tobaccos, shall not be burthened with making Satisfaction for the same, or any Part or Parcel thereof; but then, and in such Case, the other Inspector who would have passed the same, and approved thereof, shall be burthened with, and make Satisfaction for, the whole; any Thing in this Act to the contrary in any wise notwithstanding.

In Case one of the Inspectors had originally refused such Tobacco, he shall not be liable.

LXIV. And when any prized Tobacco shall be brought to any public Warehouse, in order to be Shipped on Freight, and the Inspector or 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 Inspector or Inspectors, shall permit the Owner, or other Person bringing such Tobacco, to make use of one or more of their Prizes, for the re-packing and prizing such Tobacco. And if there shall be several Hogheads of Tobacco, belonging to several Owners, to be picked, re-packed 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, re-packed, and prized as aforesaid. And for all Tobacco re-packed and prized by the Owner thereof, or the Servants and Slaves to him belonging, there shall be paid to the Inspectors thereof, only Twenty-eight Pounds of Tobacco on the Eastern Shore, and Twenty-four Pounds of Tobacco on the Western Shore,

Crop Hogheads refused by the Inspectors may be picked, &c. Owners thereof may have the Use of the Prizes for that Purpose, in their Turn. Allowance per Hoghead for Tobacco inspected, if re-packed, &c. by the Owner, if re-packed, &c. by the Inspectors.