

C H A P.
XIV.

XLVI. And, For preventing fraud by selling only part of such tobacco not received as aforesaid,

Inspectors to lodge an account of transfer tobacco with the county clerks, &c.

XLVII. Be it enacted, That all inspectors shall, in ten days before the October and November courts in each respective county yearly, lodge with the respective county clerks where they shall officiate, an account upon oath of all the transfer tobacco at that time in their hands, before the same shall be exposed to sale, and all inspectors shall keep a just and true account of the tobacco gained or saved upon the allowances made for cask or shrinkage of transfer tobacco, and if any tobacco shall be so gained or saved, shall exhibit an account thereof upon oath or affirmation (if a quaker, menonist, or dunker) in the same manner as is before directed for the sale of transfer tobacco not received, and shall also sell the tobacco so gained or saved in the same manner as is before directed for the sale of transfer tobacco, and shall account for the money arising from such sale to the justices aforesaid; and no inspector shall convert any tobacco, so gained or saved, to his own use, either by the allowances for shrinkage, or four pounds of tobacco per centum for cask, or otherwise howsoever.

Justice may issue his warrant to sheriffs to go on board vessels, &c.

XLVIII. And be it enacted, That any justice of the peace of any county near the place where any ship or other vessel shall ride, upon application to him made, by any person suspecting any tobacco to be laden on board such ship or other vessel, contrary to the direction of this act, such justice shall, and he is hereby empowered and required to issue his warrant, directed to the sheriff or any constable of his county, and the sheriff or constable shall have full power and authority, and he is hereby required, to enter and go on board such ship or other vessel, to search for and seize such tobacco, and the same being seized shall be brought on shore, and carried before the same or any other justice, who shall cause the same to be immediately weighed, and if trashy or bad, immediately burnt, if good, carried to the inspecting house, there to be inspected and sold for the use of the county; and if any master or skipper of any ship or vessel, or any other person whatsoever, shall resist the officer in the execution of any such warrant, every master or skipper, so offending, shall forfeit and pay eight thousand pounds of tobacco, and every other person, so offending, shall forfeit and pay four thousand pounds of tobacco.

XLIX. And, For the better detecting of inspectors who shall not do their duty,

Justices to determine complaints against inspectors, &c.

L. Be it enacted, That the justices of the county courts shall hear and determine all complaints against them, and if they shall find them deficient in their duty, they shall remove any such inspector or inspectors, and their proceedings shall be in a summary way; and if they adjudge any inspector or inspectors to be removed, the said justices in such case shall, with all convenient speed, notify the same to the governor and council.

Proviso.

LI. Provided always, That the inspector or inspectors to be complained against, shall be summoned to appear and make his or their defence, but in case he or they will not appear, his non-appearance shall be taken for a confession, without some reasonable excuse be given for the same.

LII. And,