

CHAP.  
LXI.  
Inspectors to  
attend, &c.

XXII. And be it enacted, That every inspector shall attend at the warehouse under his charge, on every day from the first day of May to the first day of September, (except on Sundays and the fourth day of July, and the holidays observed at Whitsuntide,) for the receiving, inspecting and delivering, any tobacco brought to, and delivered at, the warehouse of which he is inspector, between the first day of May and the first day of September, but he shall not be obliged to take charge or inspect any tobacco brought to his warehouse for inspection between the first day of September and the first day of November, and he shall attend on every day, (Sundays excepted) for the delivery of tobacco, between the first day of September and the first day of November, and he shall attend as often as he shall be required from the first day of November next during the continuance of this act, (except on Sundays and the holidays at Christmas,) for inspecting and delivering tobacco; and every inspector neglecting to attend as aforesaid, unless prevented by sickness, or other unavoidable accident, shall forfeit and pay to the party grieved five pounds current money for every neglect, or shall be liable to the action upon the case of the party grieved, to recover all damages sustained, by occasion of any such neglect, together with costs, at the election of such party.

And uncase  
every hog-  
head, &c.

XXIII. And be it enacted, That every inspector shall uncase and break every hoghead of tobacco brought to be inspected as aforesaid, in not less than three different places, and if the inspectors, or inspector, (where only one is appointed) shall be of opinion that such tobacco is sound, clean, unmixed with trash or bad tobacco, in good order and condition, and merchantable, he or they shall weigh (or cause to be weighed in his or their presence,) such tobacco, in scales, always giving the turn of the scale in favour of the tobacco, with weights of the lawful standard, and shall afterwards weigh the hoghead, which the inspectors or inspector shall stamp and brand (or cause to be stamped and branded in his or their presence,) with a hot iron, on the head and bulge, with the name of the warehouse, the tare of the hoghead, and quantity of net tobacco therein contained, and shall also mark on the said hoghead, with marking irons, the initials of the name of the owner, and the number of hogheads then inspected; and where two inspectors are appointed, if they cannot agree to pass any hoghead of tobacco, they shall, without delay, or as soon as conveniently may be, call an inspector from the next adjacent inspection, who shall determine the difference, and pass or reject such tobacco; and when any inspector shall bring his own tobacco to the warehouse whereof he is inspector, the same shall not be stamped and branded, unless it be first viewed, examined and passed, by the other inspector, or by the inspector from the next adjacent inspection; and if any inspector shall bring his own tobacco to the warehouse whereof he is the only inspector, the same shall be viewed and examined, and refused or passed, stamped and branded, as this act directs, by the inspector of the next adjacent inspection.

In case of sick-  
ness, one in-  
spector may  
act, &c.

XXIV. And be it enacted, That in case of sickness, or other disability, of one inspector, the other shall execute all the powers which by this act the two inspectors together might do, as fully, to all intents and purposes, as if they were both present, and the inspector so acting alone shall be answerable for every hoghead of tobacco so by him inspected and passed, and his bond may be sued for any breach of the condition thereof committed by such inspector during the absence of such sick or disabled inspector.

If both are  
sick, each may  
appoint a per-  
son, &c.

XXV. And be it enacted, If both the inspectors at any warehouse shall at the same time be sick or disabled, and thereby prevented from attending their duty, that in such case each of the said inspectors shall appoint one