

C H A P.
LXI.

be, for all monies received, or which ought to be received, by them, by virtue of this act, in which account they shall be allowed for necessary disbursements in pursuance of this act.

Scales, &c.
vested in in-
spectors, &c.

XXVIII. And be it enacted, That the property of the scales, ropes, blocks, branding and marking irons, and weights, belonging to any warehouse established by this act, shall be so far vested in the inspector or inspectors for the time being, as to punish any trespass or felony thereof.

Inspectors to
deliver print-
ed notes, &c.

XXIX. And be it enacted, That the inspector or inspectors who shall pass any tobacco, shall deliver as many printed notes under the hands of the said inspectors or inspector to the owner, and in his name, as shall be required, in which note or receipt shall be expressed, the place and time of reception, the maker's mark, the warehouse, number, and the gross, tare, and net weights, for all tobacco inspected and passed, and also in the note shall be expressed, whether coloured or leaf; and the said notes shall be current, and received in payment of all debts and contracts for tobacco, or judgments and decrees on contracts for tobacco, according to the terms and intention of the contract, judgment or decree, as the case may be, and shall be transferable from one person to another, and shall be paid upon demand by the inspector or inspectors who signed the same; and no tender of any debt or contract for tobacco, or judgment or decree on any contract for tobacco, shall be accounted lawful, unless payment of the same shall be tendered in inspector or inspectors note or notes.

When persons
are entitled to
receive tobac-
co, inspectors
to open hogf-
heads, &c.

XXX. And be it enacted, That when any person shall be entitled to receive tobacco, by virtue of any inspector or inspectors notes, the inspector or inspectors shall be obliged to open the hoghead, and shew such tobacco to the person demanding the same, and shall also reweigh the same, if required, and if such person shall refuse to accept of such tobacco as unmerchantable, he shall make immediate application to any justice of the peace of the county where such warehouse shall be at which the tobacco so refused shall be offered in payment, who is no ways related to the parties, nor concerned in interest, and the said justice by warrant under his hand, shall immediately appoint three persons, well skilled in tobacco, and no ways related to the parties, nor concerned in interest, to view and inspect the said tobacco; which said three persons so appointed shall, immediately, under the penalty of five pounds current money each, repair before some justice, and take an oath, or affirmation, as the case may be, which the said justice is hereby empowered and required to administer, that they will carefully uncase, break, view and examine, the tobacco they are called upon to view and inspect, and that they will not pass any tobacco that is not, in their judgment and conscience, sound, clean, unmerchantable, and that they will do their duty without fear, favour, affection, malice or partiality, and afterwards they shall (under the like penalty) forthwith repair to the warehouse where such tobacco shall be offered to be delivered, and shall carefully view and examine the said tobacco, and if any two of them shall adjudge such tobacco, or any part thereof, to be unmerchantable, they shall cause the same to be immediately burnt, unless the inspector or inspectors who passed the said tobacco shall desire to pick the same, in which case the persons chosen to view such tobacco as aforesaid, shall cause the said inspector or inspectors to pick the same, and shall cause the unmerchantable tobacco therein to be burnt, and for their trouble, the said three persons who shall be present at such view, shall be paid by the inspector or inspectors who offered such tobacco six shillings and eight-pence current money each; and if the said persons, or any two of them, shall adjudge such tobacco to be merchantable, according to the directions of this act, the said persons, so attending, shall be paid