

C H A P. who signed such note, and lodging the same with him or them, the said in-  
 XXVI. spector or inspectors of the said tobacco in the said note or notes shall deliver to  
 the person obtaining such certificate a new note or notes, with the marks, num-  
 bers, weights and dates, corresponding with the former note or notes lost or  
 mislaid, and shall be thereby discharged from all actions and demands on account  
 of such notes; and if any person shall be convicted of taking a false oath or  
 affirmation, he shall suffer as in case of wilful and corrupt perjury, and shall  
 forfeit and pay to the party grieved five pounds current money for every hundred  
 pounds of tobacco specified in such certificate, and so in proportion for a less  
 quantity; and any person selling or producing a forged certificate, knowing the  
 same to be forged, in the case aforesaid, shall, upon conviction, be fined a sum  
 not exceeding fifty pounds current money, or shall stand in the pillory not ex-  
 ceeding two hours, or both, in the discretion of the court, and shall pay to the  
 party grieved five pounds current money for every hundred pounds of tobacco  
 specified in such certificate; provided always, that no person shall be entitled to  
 receive a new note in lieu of any note lost, destroyed or mislaid, as aforesaid,  
 unless he or she shall advertise the same within ten days after such note is first  
 discovered to be lost, mislaid or destroyed, at the court-house door of the county,  
 and the warehouse at which such tobacco was inspected.

Inspectors  
 may permit  
 persons to  
 make use of  
 their prizes,  
 &c.

XXXIX. **And be it enacted,** That if any hoghead 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 hoghead; and if there shall be several hogheads of to-  
 bacco, 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.

They are not  
 to convert  
 samples to  
 their own use,  
 &c.

XL. **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 to-  
 bacco drawn out of any hoghead, but the same, if fit to pass, shall be carefully  
 returned and replaced, under the penalty of five shillings current money.

Justices to  
 hear and de-  
 termine com-  
 plaints, &c.

XLI. **And,** for the detection and removal of inspectors who shall not do their  
 duty, **Be it enacted,** That the justices of the county courts shall hear and deter-  
 mine all complaints against any inspector, in a summary way, and if found guilty  
 of any breach of duty required by this act, they shall remove any such inspector,  
 and immediately after transmit a copy of the complaint, and of their proceedings  
 thereon, to the governor and the council; and if the inspector shall think himself  
 injured by the judgment of removal, he may appeal therefrom to the governor  
 and the 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  
 expences 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 the council, who are hereby empowered to summon and  
 compel the attendance of such witnesses as may be necessary, 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 com-  
 mission 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 in case he shall not appear, his default shall  
 be taken for a confession, without some reasonable excuse be given for the same.

County clerk  
 to provide a  
 book, &c.

XLII. **And be it enacted,** That the clerk of each county within this state  
 shall provide a well bound book, and record therein all the proceedings of the  
 justices relating to this act; and that it be the duty of the clerk of the county  
 court