

merchant, or in loading any ship or vessel with tobacco, except the proper tobacco of such inspector, under the penalty of sixteen dollars for every hogshead of tobacco so bought or received, or procured to be sold or consigned, contrary to this act; provided, that any inspector may receive his own proper rents or debts in tobacco.

X. AND BE IT ENACTED, That if any person shall erase, or in anywise alter or deface, any letter, mark, number or figure, set upon any hogshead by any inspector, or if any person shall counterfeit any letter, mark, number or figure, on any hogshead, such person shall forfeit one hundred and fifty dollars for every such offence.

Penalty on altering marks, &c.

XI. AND BE IT ENACTED, That if any inspector shall accept or receive, directly or indirectly, any gratuity or reward for any thing by him done in pursuance of this act, other than his salary, every such inspector, being thereof convicted, shall forfeit and pay the sum of three hundred dollars, and shall be disabled from holding the office of inspector during the continuance of this act; and if any person shall offer any gratuity, reward or bribe, to any inspector, for any thing by him to be done in pursuance of this act, and shall be thereof convicted, such person shall, for every such offence, forfeit and pay three hundred dollars.

Inspectors not to accept gratuities, &c.

XII. AND BE IT ENACTED, That every inspector neglecting to attend as directed by the levy court, unless prevented by sickness, or other unavoidable accident, shall forfeit and pay to the party grieved twenty dollars for every neglect, or shall be liable to an 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.

Penalty on their neglecting to attend, &c.

XIII. AND BE IT ENACTED, That every inspector shall uncase and break every hogshead of tobacco, or cause the same to be done in his presence, which he may be called on to inspect as aforesaid, in not less than three different places, and if the inspector or inspectors, as the case may be, shall be of opinion that such tobacco is sound, clean, in good order, condition, and merchantable, he or they shall weigh, or cause the same to be weighed in his or their presence, such tobacco, in scales, with weights of the lawful standard, and shall weigh the hogshead, which the inspector or inspectors shall mark, or cause to be marked in his or their presence, on the head and bulge, with the name of the warehouse, the tare of the hogshead, and quantity of net tobacco therein contained, also mark on the head of the hogshead with marking irons, the initials of the name of the owner, and the number of hogsheads then inspected; and where two inspectors are appointed, if they cannot agree to pass any hogshead 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 marked, 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, or refused, passed and marked, as this act directs, by the inspector of the next adjacent inspection.

They shall uncase every hogshead, &c.

XIV. AND BE IT ENACTED, That if both of 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 the said inspectors shall appoint one other person of integrity and reputation, and well skilled in the curing and packing tobacco, and the quality and condition thereof, and the person so appointed shall view and inspect, pass and mark, or refuse, all tobacco brought to the said warehouse during the sickness or disability of such sick or disabled inspectors, the said person so appointed first taking the oath or affirmation of office, as the case may be, directed by this act to be taken by inspectors, and the oath or affirmation of fidelity to this state, if such persons have not before taken the same; and the said sick or disabled inspectors, and their securities, shall be answerable for all tobacco inspected and passed by the said person by them appointed, in the same manner as if they, or each of them, had personally officiated; and if the inspector at any warehouse where there is only one appointed, shall be sick or disabled, and thereby prevented from attending his duty, in such case such inspector shall appoint a person of integrity and skill as aforesaid, and the person so appointed shall view, inspect, pass and mark, or refuse, all tobacco brought to the said warehouse during the sickness or disability of such sick or disabled inspector, the said person so appointed first qualifying as aforesaid; and the said sick or disabled inspector, and his securities, shall be answerable for all tobacco inspected and passed by the person by him appointed, in the same manner as if he had personally officiated.

If sick, they may appoint a person, &c.