

paid by the party desiring such view six shillings and eight-pence current money each, as aforesaid; and when any tobacco shall be offered as aforesaid by any inspector, and refused, the said inspector shall not be at liberty to offer, nor the person demanding the same to receive, any tobacco in lieu thereof, before such tobacco first offered shall have been viewed as herein before directed, but the person refusing shall immediately mark the same; and if any inspector shall tender any tobacco in lieu of the tobacco so refused, before the same shall have been viewed as aforesaid, or shall not produce the same tobacco so refused to the said viewers, in either case it shall be taken for a conviction that the tobacco first tendered was unmerchantable, and the said inspector shall forfeit and pay thirty pounds current money for every offence; and if the person who shall refuse any hoghead of tobacco as aforesaid shall accept and receive another hoghead of tobacco in lieu of that refused, before such hoghead so refused shall be viewed as aforesaid, he shall forfeit and pay thirty pounds current money for every hoghead.

XXXI. And be it enacted, That where two inspectors in the same inspection cannot agree to pass any hoghead of tobacco, and a review shall be required, and such hoghead, or any part thereof, shall be by such reviewers adjudged unmerchantable, and burnt agreeably to the directions of this act, that in such case the inspector who was against first passing such tobacco, shall not be burthened with making satisfaction for the same, or any part thereof, but in such case, the inspector who would have passed the same, shall make satisfaction for the whole; and where any tobacco shall on review be adjudged unmerchantable, the inspector or inspectors who passed such tobacco, shall immediately pay the owner one other hoghead of the same weight and quality, and thereupon the note for the tobacco adjudged unmerchantable as aforesaid, shall be delivered up to the inspector or inspectors, to be destroyed, and if the inspector or inspectors shall refuse or neglect, he or they shall be answerable for the full value of the tobacco, at the price thereof at the time, and the inspector or inspectors, or his or their bonds, with his or their sureties, may be sued, at the election of the party; and every inspector shall deliver the identical hoghead of tobacco expressed in the note, and no other, to the person holding the same, under the penalty of five pounds current money; and no person shall receive any other hoghead of tobacco than the very hoghead for which the note is given, in lieu of the same, under the penalty of five pounds current money, except only in the case where the tobacco for which the note is given shall, on review, be adjudged unmerchantable.

Where two inspectors disagree, he who was against passing the tobacco not to make satisfaction, &c.

XXXII. And be it enacted, That no inspector or inspectors shall hereafter, on any pretence, give out any note for tobacco, unless he or they shall have actually received and passed the full quantity of tobacco for which such note shall be given, under the penalty of thirty pounds current money for every such offence.

Inspectors not to give notes unless the tobacco be received, &c.

XXXIII. And be it enacted, That the inspector or inspectors shall carefully enter in a book to be provided and kept for that purpose alone, every hoghead of tobacco viewed, passed, stamped and branded, by him or them, and the quality thereof, and the maker's mark, and warehouse and number, with the gross, tare and net weight, of all such tobacco, and in what vessel the same shall be laden, and shall send with every load of tobacco a manifest thereof, containing the numbers, gross, tare and net weight, and marks, of every hoghead of tobacco, to be delivered to the master of the vessel in which the same shall be put on board for exportation, and if the tobacco delivered is intended to be put on board several vessels, then the inspector or inspectors shall deliver separate mani-

And shall enter every hoghead in a book, &c.