

The power of imposing this duty is repealed by 1791, ch. 60, which imposes a duty not exceeding two cents per ton. The act of 1791 was not to operate until ratified and confirmed by an act of the congress of the United States; this was done by an act of the first session of the fourth congress, ch. 26, passed the 12th of May, 1796, to continue for three years, and to the end of the next session of congress thereafter.

SEC. 11. *And be it enacted*, That no warden shall sit in judgment in the execution of this act, or any of the powers herein contained, where he is any wise interested or concerned. No warden to sit, &c.

SEC. 12. *And be it enacted*, That the said wardens, or a majority of them, shall, and they are hereby authorized, to make such regulations and ordinances, from time to time, respecting wharfs and wharfage, and the keeping them in repair, so as to prevent their injuring the harbour or basin, and for preventing vessels from casting out filth or ballast, or any other cause, whether from vessels, wharfs, or the land or earth, or soil, contiguous to the basin or harbour, being thrown into the same, that may serve to fill up the said harbour or basin, or obstruct the navigation thereof; and to impose fines for every breach of said rules, regulations or ordinances, not exceeding fifty pounds, to be recovered before a magistrate, as in debts not exceeding five pounds; and all fines, penalties or awards, the recovery of which is not specially mentioned, to be recovered in same manner as in cases of debts not exceeding five pounds. Wardens may make regulations, &c.

SEC. 13. *Provided always*, That no rules, regulations or ordinances, directed to be made by this act, be repugnant to the laws of this government, and provided said rules, regulations or ordinances, be published in the Baltimore newspaper. Proviso.

SEC. 14. *And*, for the greater security of the subject, *Be it enacted*, That if any person or persons shall conceive him or themselves aggrieved by any judgment given in consequence of this act, it shall and may be lawful for such person or persons to appeal to the next county court, which said appeal shall be allowed by the wardens or magistrate, upon sufficient security given for prosecuting the same. Persons aggrieved may appeal, &c.

The other sections were directory as to the wardens, their treasurer, their mode of appointment, and their tenure; and are merged in the transfer of jurisdiction to the mayor and city council by 1796, ch. 68.

AN ACT empowering the Wardens of the Port of Baltimore to Levy and Collect the Duty therein mentioned.—1791, ch. 60.

WHEREAS, many useful regulations have taken place in consequence of the powers heretofore granted to the wardens of the port of Baltimore; and to enable them to carry the said regulations into full effect. Preamble.

SEC. 2. *Be it enacted, by the General Assembly of Maryland*, That the wardens of the said port of Baltimore shall have full power and authority to assess, levy, and collect, on every vessel Wardens may assess vessels, &c.