

1904, art. 98, sec. 2. 1888, art. 98, sec. 2. 1860, art. 97, sec. 2. 1827, ch. 162, sec. 2.

2. The person so appointed shall, before proceeding to act, enter into bond to the State of Maryland with two securities to be approved by the governor in the penalty of five thousand dollars, conditioned for the faithful and impartial discharge of the duties of State wharfinger in the city of Baltimore, according to law.

Ibid. sec. 3. 1888, art. 98, sec. 3. 1860, art. 97, sec. 3. 1827, ch. 162, sec. 2.

3. The bond executed by said wharfinger shall be filed by the secretary of state among the papers and documents in his charge and a copy thereof, certified under his hand and seal, shall be evidence of the execution and approval thereof and shall be good evidence in any court of law or equity in this State.

Ibid. sec. 4. 1888, art. 98, sec. 4. 1860, art. 97, sec. 4. 1827, ch. 162, sec. 3.

4. It shall be the duty of the state wharfinger so appointed to take charge of the wharves which he may be directed and authorized to take charge of belonging to or rented by the State, within said city, and to charge and collect from all vessels and persons resorting to or using any of said wharves, that he may have charge of, the rates of wharfage as are now authorized by any law or ordinance within said city or may hereafter be established by the mayor and city council of Baltimore.

A public wharf may be so regulated as to be made equally beneficial to all. No individual can charge for the use of a public wharf. No alteration in the location or form of a wharf divests it of its public character. The Wharf case, 3 Bl. 375.

The inspector of tobacco has charge of certain wharves in the absence of the wharfinger—art. 48, sec. 42.

Ibid. sec. 5. 1888, art. 98, sec. 5. 1860, art. 97, sec. 5. 1827, ch. 162, sec. 3. 1865, ch. 12.

5. He shall be vested with the same powers in regard to the care of said wharves or such part thereof as may be under his care and direction and the regulating of vessels and persons resorting to and using them as any harbor master or other officer within the city of Baltimore; and any of said persons who shall refuse or neglect to obey his orders, given in the execution of his said powers, shall pay and forfeit to this State the same fine that in the like case a person who should refuse or neglect to obey the orders of any harbor master within the said city, would, by virtue of the ordinances of the city of Baltimore, pay and forfeit to the said city. He shall also be vested with the same powers in regard to the collection of wharfage and of fines and penalties as any harbor master within the said city.

Ibid. sec. 6. 1888, art. 98, sec. 6. 1860, art. 97, sec. 6. 1827, ch. 162, sec. 3.

6. He shall deposit monthly in such banks as the treasurer shall designate, to the credit of the treasurer, four-fifths part of the amount of all moneys which he shall collect from time to time for wharfage, retaining one-fifth as a compensation for collecting the same.