

and the cask itself, to be separately weighed in his presence or that of his weighing clerk, in scales with weights of the proper standard; and the weight of each hogshead as first weighed, and the gross and net weight of the tobacco therein contained after inspection, to be entered in a proper book, with sufficient reference to its numbers and marks as previously recorded.

An. Code, sec. 20. 1904, sec. 21. 1888, sec. 21. 1864, ch. 346. 1916, ch. 309, sec. 20.

20. It shall be the duty of each inspector to cause to be marked with a marking-iron on the side of each hogshead of tobacco under his charge the warehouse, number and weight of said hogshead, and the net weight of tobacco contained therein, and to cause warehouse number of such hogshead to be marked with blacking on each head thereof.

See notes to sec. 21.

An. Code, sec. 21. 1904, sec. 22. 1888, sec. 22. 1872, ch. 36, sec. 11. 1886, ch. 101. 1916, ch. 309, sec. 21.

21. Every inspector shall have uncased and break every hogshead of tobacco that may be delivered for inspection in not less than five different places for Maryland and Ohio and not less than three different place for Kentucky and Virginia tobacco and in as many more places as may be necessary to fully determine the contents of said hogshead, and if the inspector shall be of the opinion that such tobacco is sound, clean and in good order, then he shall select from each break as many bundles as will correctly represent the different qualities of tobacco contained in the break, and the bundles so selected shall be considered the sample of the hogshead; he shall also have the hogshead properly marked with its number, the year of inspection and the names legibly written of the owner on each head and bilge and shall have the tare and net weight marked with iron on the bilge as directed in the preceding section.

Inspector in preparing samples is as much agent of buyer as of seller, and neither buyer nor seller has redress if both act in good faith and upon the credit of samples thus obtained. Admissibility of evidence. *Gunther v. Atwell*, 19 Md. 170.

For a case under compulsory inspection law formerly existing, involving marking hogsheads of tobacco, see *Turner v. State*, 55 Md. 258 (affirmed in 107 U. S. 38). See also sec. 49.

An. Code, sec. 22. 1904, sec. 23. 1888, sec. 23. 1886, ch. 101, sec. 11A. 1898, ch. 314. 1916, ch. 309, sec. 22. 1920, ch. 39, sec. 22.

22. Whenever any dispute shall arise concerning the correctness of any sample furnished by the inspector of tobacco under the seal of the State, said controversy shall be referred to a committee of arbitration consisting of three persons to be selected as follows: one thereof shall be selected by the inspector with the approval of the Governor, one thereof shall be selected by the claimant or claimants or his or their agents, and the two thus selected shall select the remaining member of said committee; provided, however, that no person shall be so selected, or if selected shall be competent to serve as a member of any committee of arbitration who shall have a direct or indirect interest in the tobacco in controversy.

See sec. 50.