

true condition and working of said apparatus or meter; and if it shall be found, upon any such test, that said apparatus or meter is registering gas in favor of said company, then, in the absence of any fraud upon the part of the consumer, the said company shall refund to the consumer an amount in lawful money equal to the percentage that the said apparatus or meter has been registering too fast, upon the bills of said consumer, registered by said apparatus or meter, for the four months next preceding the said test, unless the said company can prove that such inspection and certificate do not show the correct result; and in case such refunding does take place, the said company shall also pay the expenses incurred in making said test.

GAUGERS OF CASKS AND LIQUORS.

1872, ch. 264, sec. 1. P. L. L. (1888), Art. 4, sec. 437.

544. Any citizen of the State of Maryland, on application to the Clerk of the Court of Common Pleas in the City of Baltimore, and on paying one hundred dollars to the said clerk, shall be entitled to receive a license to act as gauger of casks and liquors, for the term of one year from the date thereof. The person applying for said license shall, at the time of receiving the same, take and subscribe before said clerk, an oath that he will honestly and faithfully discharge the duties of said office.

1872, ch. 264, sec. 2. P. L. L. (1888), Art. 4, sec. 438.

545. No person engaged in vending or trading in or manufacturing casks or liquors individually, or as a partner, or as agent, clerk or employee of a trader, vender or manufacturer of said articles, or either of them, or any commissioned officer, shall be licensed to act as gauger of casks and liquids.

1872, ch. 264, sec. 3. P. L. L. (1888), Art. 4, sec. 439.

546. Any person may sell, export or otherwise dispose of any foreign or domestic liquors in casks, without having the same gauged by a licensed gauger, but in cases of difference between the buyer and seller as to the quantity, either party may call in a gauger, and his judgment shall bind the parties.

1872, ch. 264, sec. 4. P. L. L. (1888), Art. 4, sec. 440.

547. The gaugers shall procure and use a correct set of gauging instruments, and as soon as they have ascertained the capacity of any cask they shall distinctly mark with marking irons the capacity on the bilge near the bung, and prefix the letter M., for the State of Maryland, and the first letter of the surname of the gauger who does the gauging; and any cask containing such liquor, to be merchantable, must be round at the bilge and heads, the staves thereof to be seasoned white oak, free from any injurious portion of sapwood, and not less than half an inch thick at the thinnest part, and not more than three-quarters of an inch at the thickest