

“Delivery” means voluntary transfer of possession from one person to another.

“Fungible goods” means goods of which any unit is, from its nature or by mercantile custom, treated as the equivalent of any other unit.

“Goods” means chattels or merchandise in storage, or which has been or is about to be stored.

“Holder” of a receipt means a person who has both actual possession of such receipt and a right of property therein.

“Order” means an order by indorsement on the receipt.

“Owner” does not include mortgagee or pledgee.

“Person” includes a corporation or partnership of two or more persons having a joint or common interest.

To “purchase” includes to take as mortgagee or as a pledgee.

“Purchaser” includes mortgagee and pledgee.

“Receipt” means a warehouse receipt.

“Value” is any consideration sufficient to support a simple contract. An antecedent or pre-existing obligation, whether for money or not, constitutes value where a receipt is taken either in satisfaction thereof or as security therefor.

“Warehouseman” means a person lawfully engaged in the business of storing goods for profit.

(2) A thing is done “in good faith” within the meaning of sections 1 to 60 when it is in fact done honestly, whether it be done negligently or not. Cited but not construed in *McLane v. State*, 156 Md. 145.

An. Code, 1924, sec. 59. 1912, sec. 59. 1910, ch. 406, sec. 59 (p. 59).

59. The provisions of sections 1 to 60 do not apply to receipts made and delivered prior to June 1, 1910.

An. Code, 1924, sec. 60. 1912, sec. 60. 1910, ch. 406, sec. 61 (p. 59).

60. Sections 1 to 60 may be cited as the Uniform Warehouse Receipts Act.

Distillery Warehouses.

An. Code, 1924, sec. 61. 1912, sec. 61. 1906, ch. 19.

61. Bonded warehouses of the United States, known as distillery warehouses, as defined by and existing under the laws of the United States of America and situated in this State, shall be deemed to be warehouses within the contemplation and meaning of this section, and such distillery warehouses shall be subject to all the provisions of this article not inconsistent with the laws of the United States regulating the conduct and operation of such distillery warehouses, and all warehouse receipts issued after February 27, 1906, by such a distillery warehouse shall be governed by and subject to all the provisions of this article as fully to all intents and purposes as the warehouse receipts of any other warehouseman, corporation or person conducting a general warehousing business in this State.

This section is constitutional and valid. A distillery warehouse receipt represents the property and its transfer in the usual course of business by way of sale or pledge, operates as a delivery of the property therein described. Pledgees held to take a good title as against creditors. *Merchants Bank v. Roxbury Distilling Co.*, 196 U. S. 100. See also the opinion of the special master in this case, particularly on page 82.

See sec. 58.

While the acts of 1910, chs. 336 (p. 33) and 406 (p. 46), do not specifically refer to the act of 1908, ch. 548, the latter was no doubt repealed by the acts of 1910, particularly in view of sec. 60 of ch. 406.