

Mr. Tyson moved to strike out the following: 'and all marks that shall be made by either of the guagers aforesaid, determining the proof of domestic distilled liquor, shall be defaced on every cask so soon as the same shall have been emptied, under a penalty of five dollars, to the use of the informer, to be paid by the owner or person having possession of said cask or casks; and whenever it may be required by the seller or his agent, he shall give a certificate specifying the true quantity and proof of the domestic distilled liquor contained in each cask so guaged and inspected at any time by him,' for the purpose of inserting the following proviso: 'Provided, that if any person, directly or indirectly, shall fraudulently sell, or offer for sale, any cask which has been once inspected, emptied and refilled, without submitting the same for inspection, he shall forfeit such cask, with its contents, or the value thereof, at the choice, and to the use of, the informer; and if, on the inspection of any cask, it shall be found that the inspection marks on such cask are sufficient without any addition, the old marks may be permitted to remain.' Determined in the negative.

Mr. Tyson moved to refer the further consideration of the bill to the 1st of June. Determined in the negative.

Mr. Howard moved to strike out the following: 'and every guager appointed by the governor and council shall pay to the treasurer of the western shore, to the use of the state, the sum of one hundred dollars, whenever he receives his license, which shall be annually renewed.' Resolved in the affirmative.

Mr. Howard moved the following as an additional section:

And whereas, by an act passed at November session 1797, entitled, A supplement to the act, entitled, An act to erect Baltimore town, in Baltimore county, into a city, and to incorporate the inhabitants thereof, it was enacted, that the corporation aforesaid shall have full power and authority 'to establish and regulate guagers, and their fees;' and further, that the charter, with its supplement, was enacted and declared to be perpetual: And whereas, in the year 1803, a supplement to the act of incorporation was made, dependent on the assent of a majority of the members of the first branch of the city council; and in the year 1806, another alteration in the charter was made, upon the prayer of the mayor and city council, and again in the year 1808, an alteration in the charter was made, to depend upon the assent or dissent of a convention of delegates, from the wards of said city, appointed in the manner directed by the act; therefore,

Be it enacted, That this act shall not be in force until accepted as an alteration of the charter, by the mayor and city council of Baltimore.

The yeas and nays being required appeared as follow:

AFFIRMATIVE.

|                 |              |             |
|-----------------|--------------|-------------|
| Messrs. Hawkins | Estep        | S. R. Smith |
| Welch           | Edelen       | Howard      |
| Wickes          | Goldsborough | Tyson       |
| Gantt           | Speed        | Perry—14    |
| Maxcy           | Ridgaway     |             |

NEGATIVE.

|                 |         |            |
|-----------------|---------|------------|
| Messrs. Speaker | Teackle | Montgomery |
| Millard         | Thomas  | Hall       |
| Boon            | Gilpin  | Merrick    |
| Harris          | Harlan  | Kershner   |
| Linthicum       | Beall   | Kennedy    |