

C H A P.
XII.

In case of
death, &c. to
appoint ano-
ther, &c.

IV. And be it enacted, That in case of the death of such officer so appointed, or his refusal or neglect to act, the said commissioners, or the major part of them, shall, as soon as conveniently may be thereafter, meet together and appoint one other such person as aforesaid, in the stead of the person so dead, or refusing or neglecting to act, for the residue of the year; and if the said commissioners shall neglect and omit to nominate and appoint the said officer, then the governor and council may appoint such officer, who shall be qualified agreeable to the directions of this act, and have the like power and authority as if he had been by the said commissioners nominated and appointed.

Flour to be
made mer-
chantable,
&c.

V. And be it enacted, That all bolted wheat flour, and every cask thereof, brought to the said town for exportation, from and after the first day of August next, shall by the bolters thereof be made merchantable and of due fineness, without any mixture of coarser or other flour.

Casks to be
made of good
materials, &c.

VI. And be it enacted, That from and after the first day of August next, all flour casks brought to Baltimore-town for exportation, shall be made of good seasoned materials, well made, and tightened with ten hoops, sufficiently nailed with four nails in each chine hoop, and three nails in each upper bilge hoop, and of the following dimensions, viz. The staves to be of the length of twenty-seven inches, but of different diameters at their heads, according to their numbers, that is to say; cask number one shall be of the diameter of eighteen inches and a half at the head, cask number two seventeen inches and a half, and cask number three sixteen inches and a half; that every miller and bolter of flour, and baker of bread, for transportation out of the state, shall provide and have a distinguishable brand-mark, with which he shall brand each and every cask of flour or bread, before the same shall be removed from the place where the same was bolted or baked; and every miller or bolter shall also brand every cask of flour according to the respective diameters above specified, with the said numbers one, two or three, and with the weight respectively, under the penalty of two and six-pence current money for every barrel of flour not hooped and nailed as aforesaid, and for every cask of flour or bread so removed and not branded as aforesaid, to be recovered from such miller or bolter who shall neglect to comply with the direction of this act, or from the person who brings such bread or flour to Baltimore-town aforesaid for sale; and in case a recovery shall be had against such person bringing the said bread or flour for sale as aforesaid, for the said penalty, such person shall and may have a recovery of the same, with costs, against the miller or bolter from whom such bread or flour was purchased or received, upon making it appear that he gave notice to such miller or bolter, that he intended to carry the same to the town aforesaid for sale for exportation, and that he requested such miller or bolter to secure and mark the said barrels as aforesaid.

Quantity to be
put into each
cask, &c.

VII. And be it enacted, That the said miller and bolters shall put into the casks number one the full quantity or weight of two hundred and twenty-four pounds of flour, in the casks number two the full quantity or weight of one hundred and ninety-six pounds, and in the casks number three the full quantity or weight of one hundred and sixty-eight pounds of flour; and that if any miller or bolter shall pack any cask with a less quantity of flour than is directed by this act to be contained