

JOHN EAGER HOWARD, Esquire, Governor.

1790.

VIII. *Provided always, and be it enacted,* That if the said John Beall shall, within twenty days after the passing of this act, and after his having received notice thereof, give bond, and sufficient security, to the said Humphrey Belt, Sarah Brookes, executrix of Benjamin Brookes, Richard Cramphin, Leonard Deakins, and Samuel Shekell, to be approved of by the commissioners of the tax for Prince-George's county aforesaid, to indemnify them against the securityship aforesaid, then this law to be void and of no effect.

C H A P.
LVI.
Proviso.

C H A P. LVII.

An additional supplement to the act, entitled, An act to prevent the exportation of unmerchantable tobacco, and for establishing a second inspection in Frederick county, at the town of Berlin.

Passed De-
cember 22.

WHEREAS it is represented to this general assembly by sundry inhabitants of those parts of Frederick and Washington counties lying between the Kittocton and the Blue-Ridge mountains, and in the vicinity thereof, that from their local situation they find it expensive and inconvenient to carry their tobacco to Frederick-town, where the only warehouse in the county is established, or to George-town, in Montgomery, which is the nearest warehouse on navigable water; and that there is a town laid out by Leonard Smith, and now improving, on the banks of the Patowmack river, between the aforesaid mountains, called and known by the name of Berlin, very conveniently situated for a warehouse, where there is a good landing and safe harbour, and from whence the navigation of the river is already open almost to George-town; that boats have already been employed there, for a considerable time, in carrying their tobacco and other produce down the river, and that they find, by experience, this mode of conveyance equally safe, and attended with much less expence than any other, and that the proprietor will erect a warehouse at his own expence at the place aforesaid; and it appearing to this general assembly that the aforesaid facts are true, and that the establishing a warehouse at Berlin will be of great utility to the petitioners, and promote the tobacco trade,

Preamble.

II. *Be it enacted, by the General Assembly of Maryland,* That the commissioners of the tax for Frederick county, or any three or more of the justices, in case no commissioners be appointed for the county aforesaid, shall and may, and they are hereby authorised and required, upon application made to them by any person or persons, to determine, fix upon and lay out, the most proper place in the town of Berlin, whereon shall be built a warehouse for the reception and inspection of tobacco, and also to appoint an inspector or inspectors at and for the same warehouse; provided, that the aforesaid Leonard Smith shall build and erect the same at his own expence, and that the same warehouse shall be sufficiently roomy to contain four hundred hogsheads, the said Leonard Smith furnishing weights, scales and prizes, and all other things which shall be necessary for the purposes aforesaid; and that the same sums of money be paid at the said warehouse as at other warehouses in Frederick county.

Commission-
ers to fix upon
a place, &c.

III. *And be it enacted,* That the inspector or inspectors, to be appointed in virtue of this act, shall take such oath or affirmation as is required by the act for an inspection of tobacco in Frederick-town, in Frederick county; and the said Leonard Smith shall give bond with good security, to be approved by the commissioners of the tax for his county, with condition to perform his contract to build the said warehouse, and keep the same in repair, and also to provide weights, scales, prizes, and other things necessary for the inspection of tobacco at said warehouse, which said bond shall be approved and recorded as is directed by the act for the inspection of tobacco at Frederick-town, in Frederick county.

Inspector to
take an oath,
&c.

IV. *And be it enacted,* That the tobacco notes to be passed for tobacco delivered at said warehouse shall not be a payment or discharge of any tobacco debt, unless by consent or contract of the parties to that purpose.

Notes not to
be a payment,
&c.

V. *And,*