

and are hereby obliged to make every hogshead of tobacco by him or them paid away in discharge of such transfer notes, to contain nine hundred pounds of net tobacco at least; and for every such hogshead of tobacco by him or them paid away, well lined and nailed, in fit order for shipping, there shall be paid by the person receiving such hogshead the sum of five dollars, for the hogshead, packing, prizing and finding nails for lining the same; and the person demanding or receiving tobacco in discharge of transfer notes as aforesaid, shall allow the inspector or inspectors two pounds of tobacco per hundred, and so *pro rata*, for shrinkage and waste, if the said tobacco be paid at any time within two months after the date of the note or notes given for the same, and one pound of tobacco for every hundred for every month in which the same shall be unpaid after the said allowance, so as all such allowances for shrinkage and waste do not exceed, in the whole, six pounds for every hundred pounds of tobacco; and if any inspector or inspectors by whom such notes for tobacco as aforesaid shall be signed, shall refuse or delay to pay and satisfy the same when demanded, every inspector so refusing or delaying, shall forfeit and pay to the party injured double the value of the tobacco so refused or delayed to be paid, to be recovered in the county court, with costs, if the note or notes so refused or delayed to be paid exceed five hundred pounds of tobacco, and if the note or notes do not exceed five hundred pounds of tobacco, double the value shall and may be recovered before a single magistrate.

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LXXXV.

II. AND BE IT ENACTED, That the owner of any transfer note or notes may at any time receive a note or notes for a marked hogshead or hogsheads of tobacco in satisfaction for such notes, and the inspector or inspectors, on delivering the same, shall take in his or their former notes, and be answerable for the safe keeping of every hogshead of tobacco, the note for which shall be so delivered, in the same manner that they are now for crop tobacco, but the person receiving such note shall pay to the inspector or inspectors the sum of five dollars for the cask, nails and prizing thereof; and the inspector or inspectors shall sell all transfer tobacco which shall not be so received and marked, on the second day of holding the county courts in each county respectively on each shore, if fair, if not, on the first fair day thereafter, by public auction, in single hogsheads, and not otherwise, and shall pay the money arising from such sale at the average price of the sale of tobacco belonging to each house, in satisfaction of their notes from time to time to the proprietors thereof making their demand, under the same penalty as is prescribed for not paying inspectors notes.

Owners to receive notes, &c.

III. AND BE IT ENACTED, That all transfer tobacco, when prized in hogsheads, shall be subject to the same charges for inspection and otherwise, as crop tobacco is subject to.

Transfer tobacco subject to charges, &c.

IV. AND, whereas doubts have arisen as to the legality of the inspectors permitting persons who may offer tobacco in hogsheads at the respective warehouses which may be refused, to carry the same so refused from the warehouse at which it shall have been offered, and it appearing reasonable that such indulgence should be given to every person thus circumstanced, BE IT ENACTED, That in case any person shall hereafter offer at any warehouse for inspection, any tobacco in hogsheads, and the same shall be found by the inspector to be unmerchantable, it shall and may be lawful for such inspector to permit the person owning such tobacco to take away the same from the said warehouse for the purpose of altering the condition thereof, or otherwise.

Tobacco unmerchantable may be taken away, &c.

V. AND BE IT ENACTED, That this act shall continue and be in force for the same term of the continuance of the act to which this is a farther supplement; provided that nothing herein contained, so far as relates to transfer tobacco, shall extend, or be construed to extend, to Saint-Mary's county, any thing herein contained to the contrary notwithstanding.

Duration, &c.

C H A P. LXXXVI.

An ACT for introducing a copious supply of wholesome water into the city of Baltimore.

Passed January 19, 1804.

WHEREAS John M. Kim, James A. Buchanan, John Donnell, Solomon Etting, Jonathan Ellicott, James Mosher and William Cooke, together with sundry other citizens of this state, have agreed to form themselves into a company, and have associated and raised a large sum of money by subscription, in shares of fifty dollars each, for the purpose of introducing a copious supply of wholesome water into the city of Baltimore;

Preamble.

II. BE IT ENACTED, by the General Assembly of Maryland, That the said John M. Kim, James A. Buchanan, John Donnell, Solomon Etting, Jonathan Ellicott, James Mosher and William Cooke, and such other persons as have subscribed and joined, or shall hereafter subscribe or join the said association,

Persons incorporated, &c.