

swine or any other farm products whatsoever, shall require of every purchaser at the time of making such sale or sales to deposit with such factor, commission merchant, consignee or agent the full market value of all vessels, such as crates, boxes, barrels, bags, baskets, casks or any other vessel or vessels used in the packing and transportation of any such farm products, to be fixed by such factor, commission merchant, consignee or agent. Such deposit shall be refunded to such purchaser or to the person entitled to receive the same in case he brings back within five days and delivers to such factor, commission merchant, agent or consignee the aforementioned vessel or vessels in as good condition as when he received the same; and if any purchaser shall fail to return such vessel or vessels within five days after receiving the same, the said deposit shall be considered as forfeited, and the said factor, agent, consignee or commission merchant shall pay the same over to the owner of such vessel or to the person entitled to receive the same at the next ensuing settlement of accounts with such owner or person; and it shall be the duty of every such factor, agent, consignee or commission merchant whenever such vessels are returned to him, to deliver the same to the transportation agent or carrier that brought them to the place of sale and to take a receipt therefor; the legal responsibility of the factor, agent, consignee or commission merchant for such vessels shall thereupon cease and determine, and the transportation agent or carrier so receiving the same shall become responsible to the owner or person entitled to receive the same for the full value of all such vessels until they shall have been deposited at the landing or station at which they were received.

1904, art. 27, sec. 128. 1890, ch. 619, sec. 92B.

142. Any agent, factor, consignee or commission merchant who shall fail to require the deposit named in the preceding section, or who shall fail to deliver to the transportation agent or carrier within forty-eight hours after the same shall be returned to him any vessel that may be returned to him by purchasers as prescribed by the preceding section shall forthwith forfeit to the owner or owners thereof, or to the person or persons entitled to receive the same the full market value of such vessels, which sum so forfeited shall be added to and be considered a part of the price at which the merchandise contained in such vessels had been sold; and any agent, factor, consignee or commission merchant who shall refuse to pay over to the owner or person entitled to receive the same within five days after the demand has been made therefor, any sum or sums so forfeited for such vessels shall be subject to the penalty provided in section 143 of this article.

Ibid. sec. 129. 1890, ch. 619, sec. 92C.

143. Every agent, factor, consignee or commission merchant within twenty-four hours after sale shall have been made by him of any farm products or article consigned to him for sale by any person within this