

CHAPTER 91.

CHAP. 91

An act Relative to the Inspection of Tobacco.

Passed Feb'y. 26,
1828.
Brand directed for
Maryland tobaccos

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That from and after the first day of March next, it shall be the duty of each and every inspector of tobacco at the several tobacco ware houses in this state, to brand (or cause the same to be done,) on every hogshead of tobacco raised, cured and packed in this state, which they or either of them shall inspect, with the word MARYLAND, in capital letters on the bilge of the hogshead, in such manner that the said word shall not easily be cut or rubbed out, without injury to the part of the hogshead on which it is branded.

Forfeited for attempted fraud.

SEC. 2. *And be it enacted,* That any hogshead or hogsheads of tobacco, which shall be offered to any inspector or inspectors as Maryland tobacco, for the purpose of being branded as such, which was not raised, cured and packed in the state of Maryland, shall be forfeited by the person or persons offering the same, and so soon as the inspector or inspectors shall discover that the said tobacco was not raised, cured and packed in this state, he shall take possession of the same in the name of the state, and shall advertise the same for sale to the highest bidder for ready cash, and proceed to sell it after giving not less than thirty days notice from the seizure thereof, and after paying the cost of such sale, shall pay one half of the nett proceeds to the treasurer of the western shore of Maryland, and the other half to the informer.

SEC. 3. *And be it enacted,* That if any person shall think him or herself aggrieved, he may lodge his complaint by motion in writing, before the city court of Baltimore, or any of the county courts of this state where the tobacco ware house is situated, and the city or county court, as the case may be, shall immediately hear and determine the same, and if the court shall decide that the tobacco was the growth of Maryland, then the tobacco if not sold, shall be immediately restored to the owner or owners, and if sold, the nett proceeds thereof in money; but if the court shall decide against the party claiming, he, she or they, shall pay all costs.

Appeal.

SEC. 4. *And be it enacted,* That any person or persons branding any hogshead or hogsheads of tobacco, with the word Maryland, on the bilge or any other part of a hogshead or hogsheads, with intent to evade the provisions of this act, the person or persons so offending, shall be deemed guilty of felony, and prosecuted in any court in this state, in the same manner as persons are prosecuted for any other felony, and upon conviction thereof, shall undergo a confinement in the Penitentiary, for not less than two, or more than four years.

Forging the brand made felony.

SEC. 5. *And be it enacted,* That the several tobacco inspectors in this state, be, and they are hereby authorised and required to procure the branding irons necessary to carry this law into effect upon the best terms they can, and charge for the same in

Brands procured.