

CHAP. 53

that the said plate, ware, or manufacture, is less in fineness than eleven ounces of pure silver in every pound troy, or hath not thereon the name or names and the numerical figures as aforesaid, that then, and in every such case, the person or persons so selling, or exchanging, or offering to sell or exchange such silver ware, plate or manufacture, shall forfeit and pay the sum of twenty dollars, for each and every piece or article of such ware, plate, or manufacture, so sold or exchanged, or offered for sale or exchange as aforesaid.

Test authorized

Sec. 3. *And be it enacted*, That if any purchaser or purchasers of any vessel, plate or other manufacture of silver whatsoever, in the city of Baltimore, shall believe that the mark or stamp designating, by a numerical figure or figures the fineness thereof, is a false and deceptive mark or stamp, and does not truly designate the fineness thereof, he may apply and complain to the assay officer for the said city, whose duty it shall then be to assay the article about which the application and complaint may be made, and decide and declare the fineness truly according to the fact as it may appear to him after fair experiment.

If marked correct

Sec. 4. *And be it enacted*, That if the assay officer of the said city upon application and complaint to him as hereinbefore directed, shall decide and declare that the mark or stamp designating by a numerical figure or figures the fineness of the silver article in question before him, is a just and true mark, fairly designating the fineness thereof, then and in such case the purchaser making application and complaint as aforesaid, shall pay to the assayer ten cents for every ounce of silver plate or manufactured silver assayed, and so decided and declared by the assayer to be justly and truly marked or stamped as aforesaid, but if the assay officer should decide and declare that the mark or stamp designating by a numerical figure or figures the fineness thereof is a false and deceptive mark or stamp, and does not truly designate the fineness of the silver article in question before him, then and in such case the seller or manufacturer against whom the application is made shall be fined twenty dollars for each case in which such decision and declaration is made by the assay officer, and pay to the said officer ten cents for every ounce of silver plate or other manufactured silver so assayed, and so decided and declared by the assayer to be falsely and deceitfully marked or stamped as aforesaid.

If falsely marked—penalty.

Oath of assayer.

Sec. 5. *And be it enacted*, That the assayer appointed or to be appointed in virtue of the act to which this is a supplement, shall from and after the passage of this act, take the oath following, to wit: "I, A, B. do swear that I will so long as I continue assayer, well and faithfully behave myself in said office, and justly, truly and impartially decide all matters which may be submitted to me as assayer, according to my best judgment and experience, and no undue profit to myself