

on the part of himself or agent, and that he and his agent or servant used reasonable care to prevent the same, then the said fine shall not be imposed, but judgment shall be given for costs only.

SEC. 5. *And be it enacted*, That this act shall take In force. effect from the date of its passage.

Approved February 21, 1878.

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CHAPTER 42.

AN ACT to refund taxes on Oyster House License to Frank G. Mightsen, administrator of Eliza Tilghman, deceased, of Talbot county, erroneously paid to the State.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That on the warrant of the Comptroller, the Treasurer is hereby directed to pay to Frank G. Mightsen, administrator of Eliza Tilghman, deceased, of Talbot county, the sum of thirty-nine dollars and fifty-eight cents for taxes on Oyster House License erroneously paid to the State. Treasurer directed to pay.

SEC. 2. *And be it enacted*, That this act shall take In force. effect from the date of its passage.

Approved February 21, 1878.

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CHAPTER 43.

AN ACT to sanction and make valid a bequest in the last will and testament of Ursula Wilcoxen, late of Montgomery county, deceased, of the sum of five hundred dollars to the Vestry of Prince George's Parish, in said county, and to authorize said Vestry to receive and hold the same subject to the provisions of said will.

Whereas the said Ursula Wilcoxen did, by her last will and testament, duly admitted to probate by the