

nature as may be availed of by way of recoupment without such special plea or not.

13. In every case where a special plea is filed as authorized by the preceding Section, judgment for the excess of the one claim over the other, as each is proved, with costs of suit, shall be given in favor of the plaintiff or the defendant, according as such excess is found in favor of the one or other of the parties, if such excess be sufficient to support a judgment in the court where the cause is tried according to its established jurisdiction, otherwise the finding of such excess to be due shall have the same effect as is given to verdicts for amounts below the court's jurisdiction by Article 26 Section 17 of this Code.

SEC. 2. *And be it further enacted*, That this Act shall go into effect on September 1st, 1914.

Approved April 10th, 1914.

---

CHAPTER 394.

AN ACT to direct, authorize and empower the Judges of the Court of Appeals of Maryland to reinstate the cause of Edwin M. Wilmer, Trustee, et al. vs. The Mayor and City Council of Baltimore, No. 56, April Term of said Court, 1911.

(Vetoed.)

---

CHAPTER 395.

AN ACT to authorize and empower the County Commissioners of St. Mary's County to build a School House for colored children near Hillsville in the Sixth Election District of St. Mary's County.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That the Commissioners of St. Mary's County are hereby authorized and empowered to levy a sum of money to build a school house for colored children at or near Hillsville in the Sixth Election District of St. Mary's County, Maryland.

SEC. 2. *Be it enacted*, That this Act shall take effect from the date of its passage.

Approved April 10th, 1914.