

Dec Sess.
1813.

Return of
sale.

Proceeds ap-
propriated.

Residue of
estate secured.

Case of death.

Maryland, with two securities to be approved by the orphans court of Calvert county, in the penalty of four thousand dollars, conditioned for the faithful performance of the trusts in him vested by this act of assembly, and for a compliance with all and every part thereof.

3. AND BE IT ENACTED, That the said trustee shall as soon as conveniently may be after the said sale, return a just and true account thereof to the orphans' court of Calvert county, there to be recorded, and shall yearly and every year render an account of his proceedings to the said orphans' court, to be by them approved.

4. AND BE IT ENACTED, That the monies arising from the said sale shall be applied in the following manner, to wit, to pay off the debts of the deceased, and the residue if any, shall be disposed of as follows, one eighth to the widow and the remaining seven eighths to be equally divided amongst the children of the deceased.

5. AND BE IT ENACTED, That the residue of the proceeds of the said real estate shall revert and descend among the legal representatives of the said children, in case of their deaths or the death of either of them before their arrival at the age of twenty one years, in the same manner as the said real estate would have reverted and descended, provided this act of Assembly had not passed for the sale thereof.

6. AND BE IT ENACTED, That in case of the death of the said trustee before the final completion of his trust, the orphans' court of Calvert county shall have full power and authority to nominate and appoint one or more trustees who are hereby invested with full power to carry into effect the objects and provisions herein contained, on giving such security for the faithful performance of his or their trust, as is herein before directed to be given by the trustee aforesaid.

CHAPTER 162.

Passed Jan.
31, 1814.

Justice of
the peace au-
thorised to de-
termine cases
of damages.

An act to prevent the unlawful cutting and carrying away of wood and timber.

Section 1. BE IT ENACTED by the General Assembly of Maryland, That from and after the first day of May next, in all cases of damages for the cutting, destroying or carrying away, timber or wood from off any land within this state, where such damage doth not exceed the sum of fifty dollars, it shall and may be lawful for any one justice of the peace of each respective county wherein the trespasser doth reside, to try, hear and determine, the matter in controversy between an owner of land and trespasser as aforesaid, and upon a full hearing of the allegations, and evidence of both parties, and being satisfied that the timber or wood alledged to have been cut, destroyed or carried away, really and truly belonged to the claimant, to give judgment in his favour, against such trespasser, for such damages as may be as-

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