

essed by any two or three judicious freeholders, to be appointed by the justice of the peace, trying the case, but if on hearing an examination as aforesaid, the said justice shall be satisfied, either that the claimant is not the rightful owner of such timber or wood, or that the person charged is not guilty of cutting destroying or carrying it away as aforesaid, such justice shall give judgment in favour of the defendant for his costs of suit.

DEC. Sess.
1813.

2. AND BE IT ENACTED, That judgment rendered under this act may be superceded in the same manner as other judgments rendered by a justice of the peace.

Supercedure.

3. AND BE IT ENACTED, That any person who may think himself or herself aggrieved by any judgment rendered under the provisions of this act, shall have the same benefit and liberty of appeal, and upon the same terms and conditions as is allowed in cases of debts of a similar amount.

Appeal in case of grievance.

4. AND BE IT ENACTED, That all and every part of any act or acts of Assembly inconsistent with, and repugnant to the provisions of this act, be and the same is hereby repealed; *Provided*, That nothing in this act shall prevent any person from bringing suit in the county court for trespass as heretofore used and practised; *Provided always* AND BE IT ENACTED, That if the person or persons, so cutting or carrying away timber or wood, shall claim title to the land on which the same was growing or lying, or shall allege that he or they acted under any person or persons claiming title to such land, and shall verify such claim or justification by oath or affirmation, the justice before whom the trespass aforesaid shall be prosecuted, shall take no further cognizance of the same.

Repeal of former laws.

Proviso:

Proviso.

CHAPTER 163.

An act authorising a lottery to raise a sum of money for the purpose of building a Market-House in the eastern precincts of Baltimore.

Passed Jan. 31, 1814.

Section 1. BE IT ENACTED by the General Assembly of Maryland, That John M' Eldery, George Willemann, Adam Denmead, Hezekiah Price, John Wilhelem, Hermanus Alarcks, Daniel Conn, William Stansbury, Arthur Mitchell, Thomas Kelso, Thomas Hillen and James C. Dew, or a majority of them be, and they are hereby authorised to propose a scheme of a lottery, and to sell and dispose of tickets therein, for raising a sum of money not exceeding ten thousand dollars, for the purpose of building a market-house in the eastern precincts of Baltimore.

Commissioners appointed; to propose a scheme.

2. AND BE IT ENACTED, That before the said persons proceed to make sale of any ticket or tickets in the said lottery, they shall give bond to the state of

Bond.