

teen hundred and twenty, for selling a Ticket in a Lottery not granted or permitted by the State of Maryland, and being found guilty of selling the said Ticket, contrary to a law of this state was by the judgment of the said Court, fined five hundred dollars. The Petitioner further states that the Ticket, for selling which his Agent was fined, was a Ticket in a Lottery in the City of Washington, authorized by an Act of the Congress of the United States, and that before the same was offered for sale by the Petitioner, he obtained an opinion in writing signed by some of the most eminent Lawyers in the United States; 'that the Legislature of an Individual State could not constitutionally prohibit the sale of Tickets in the Lotteries established in the City of Washington under the authority of Congress'. The Petitioner states that he fully believed, that he was acting in conformity to law in selling said Ticket, and accordingly when his Agent was indicted, it was through his counsel stated to the Judges of Baltimore City Court to be his intention to have the question of law decided in the supreme Court of the United States, for which purpose the facts charged in the said Indictment were admitted, and a verdict by consent given against the said William Conine, with an intent that there should be an appeal prosecuted from the Judgment of the said City Court to the Court of Appeals of this state and thence to the supreme Court of the United States: but, it being about that time publicly known that a similar appeal was in fact made from a Court of the State of Virginia it was deemed advisable to wait and abide by the decision which should be made on that appeal. The Petitioner states that the decision of the supreme Court was made on the 5th of March last, and being contrary to that which he obtained from counsel, and in support of the right of the State Legislature to prohibit the sale of such Lottery Tickets, he immediately desisted from selling or offering for sale any tickets so prohibited, and has not since sold or offered to sell any such. The Board taking into consideration all the