

as the first mill dams, for the purposes aforesaid, or shall fish or erect any fish pot or other thing for the purposes aforesaid, shall be punished for every such offence, on conviction thereof, before any justice of the peace, by the oath of one or more witnesses, by whipping on his bare back, in the discretion of said justice, not exceeding for each offence the number of ten lashes; *Provided always*, that the master or mistress of said slave, or any other person may redeem said slave so convicted, from said punishment, by the payment of ten dollars for the uses aforesaid, *and provided also*, that if such slave shall act as aforesaid, by the order of his or her owner or employer, he or she shall not be subject to such whipping, but the owner or employer giving such order, shall be subject to the penalty of ten dollars to be recovered as aforesaid.

Dec. Ses. 1823

Proviso's.

3. *And be it enacted*, That every justice of the peace, shall at the levy court of his county annually, account for all fines received by virtue of this act, under the penalty of twenty dollars for each fine by him imposed or received.

Account.

CHAPTER 83.

An act for the benefit of Daniel Shawen, of Frederick county.

WHEREAS, it appears to the legislature, from the petition of Daniel Shawen, of Frederick county, and the representations of several disinterested persons, probable that complete justice was not had in the trial of certain allegations filed against him by one of his creditors, from circumstances beyond the control of the court or the petitioner, and the court having no authority to grant a new trial to the petitioner; Therefore,

Passed Jan. 28, 1824.
Preamble.

SEC. 1. *Be it enacted by the General Assembly of Maryland*, That Frederick county court be, and they are hereby authorised to grant a new trial at their next term, in the case of the allegations heretofore filed in said court against the said Daniel Shawen by a certain Leonard Yeast.

New trial.

2. *And be it enacted*, That either judge of said court shall be, and he is hereby authorised to order a discharge of the said Daniel Shawen from the present imprisonment he suffers on account of the verdict on the trial heretofore had of the allegations mentioned in the preceding section; *Provided* the said Shawen give bond to the state of Maryland in double the amount of his debts appearing due by his schedule, with good and sufficient security to appear before said court at the ensuing term of said court after the date of said bond, to answer any allegations that may be filed against him by any of his creditors, who were such at the time of his late application for the benefit of the insolvent laws, said bond to be filed among the papers relating to the said application of said Shawen, and a copy of the same under the seal of the court, shall be as good evidence in any suit in any court in this state as the original would be if produced and proved.

Discharge.
Condition.

Proviso.

CHAPTER 84.

An act for the relief of Malachy Craddock, of Frederick county.

WHEREAS, Malachy Craddock, of Frederick county, by his petition to the general assembly of Maryland, hath represented that his two infant children, Thomas Craddock and Lawrence Craddock died intestate, seized of a lot of ground situate on Love Lane in Frederick Town, in the county aforesaid, which said lot was purchased and improved with the funds of said Malachy Craddock; and

Passed Feb 7, 1824.
Preamble.