

non-suited, or discontinue his action after the defendant or defendants shall have appeared, or if judgment shall be given against the plaintiff, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same as defendants have in other cases by law.

Defendants to
have treble costs
if successful.

XXIX. *And be it enacted,* That unless there is a specific agreement to the contrary, timber shall be measured off without any allowance or deduction, and afterwards that a certain portion of the said timber, that is to say: ten per cent thereof, shall be broken up and made sound, and that a deduction on the residue of the said timber shall be made in proportion to the loss ascertained in that portion broken up and made sound, and the expense of making it sound shall be paid by the seller; a copy of every agreement upon the sale of every description of lumber mentioned in this Act, signed by the seller and buyer, shall be lodged in the office of the Supervisor of Cullers, at the same time that an application is made to the said Supervisor for a Culler to measure and cull any of the said lumber, for the guidance of the said Culler in the performance of his duty, provided there is nothing therein contrary to the true intent and clear meaning of this Act.

XXX. *Provided always, and be it enacted,* That all the provisions of this Act, with regard to the measurement and inspection of the several articles therein-mentioned, shall, within the District of