

travel about the said estray, as the justice before whom the proof is made, or any other justice, may determine.

67. If no owner shall appear within the time aforesaid, such estray shall be and remain to the finder; he being answerable to the owner for the valuation aforesaid, after deducting the charges aforesaid, if the estray be converted to the benefit of the finder, either by selling or killing the same, if the owner shall make demand thereof within three years from the end of said year.

68. No black or horned cattle belonging to citizens of this State, and found not more than seven miles from their owner's dwelling, shall be considered as estray under the foregoing provisions; but all cattle wandering or coming from and belonging to any inhabitant of any of the adjoining States, are to be considered as estrays when found in Allegany county, on the lands or within the enclosures of any citizen of this State.

FENCES.

69. It shall not be lawful for any person in Allegany county (except in election district No. 1) to impound any horned or black cattle, sheep or hogs, unless the same shall be found trespassing within an enclosure, enclosed by a good and substantial fence, at least four and a half feet high.

70. If any person in said county shall beat, dog, bruise, or in any manner injure any horned or black cattle, sheep or hogs, the owner or tenant of the property whereon such damage shall be done, shall be liable to an action of damages for the injury to the full amount of the actual damage, to be estimated by two disinterested persons, one chosen by each party, and to be recovered before any justice of the peace of the county.

71. If either party shall refuse to appoint an appraiser of such damage, for the space of five days from the injury done, any justice of the peace may appoint in his stead.

FROSTBURG.

72. The citizens of the town of Frostburg, in Allegany county, are a body corporate, by the name of the "Commissioners of Frostburg," and by that name may sue and be sued, and have and use a common seal.