

SEC. 5. *And be it enacted*, That if any constable shall neglect or refuse to perform his duty as set forth in this act he shall be subject to prosecution for malfeasance in office, and to removal from office.

SEC. 6. *And be it enacted*, That the county treasurer shall place the tax so collected to the credit of a fund to be called "The Dog Fund" of Howard county; but if there remains in the county treasury to the credit of the "Dog Fund" on the first day of January of each year a sum more than sufficient to pay the awards for damages for domestic fowls and animals made by the County Commissioners prior to that date, such surplus shall upon the order of the commissioners be applied to macadamizing public roads in the county and in the district from which the fund is raised. And provided, further, that said dog fund as collected shall be entered and kept as collected from each of the election districts of Howard county, and awards for damages shall be paid out and accounted for in respect to each district, and no fund collected from any particular district shall be liable or applied to awards for damages in any other district, and provided further, that should the amount collected in any one of the election districts of Howard county in any one year be insufficient to pay in full all awards for damages sustained during said year, whatever awards for damages remain unpaid at the end of said year shall be paid as soon as sufficient funds shall have been collected in the next year, in the order of their priority.

SEC. 7. *And be it enacted*, That the County Commissioners shall direct the constables to kill any dog for which said tax is not paid before the first day of April in each year, and for such service the commissioners may allow such compensation as they may deem adequate, provide it be paid from the tax collected on dogs, and any person opposing or in any way hindering any constable in killing any dog in the performance of his duty shall be fined not more than one hundred dollars nor less than ten dollars and costs, upon conviction before any justice of the peace in and for Howard county, and shall stand committed to the county jail until the fine and costs are paid; provided, however, that the owner of dogs who reside in any incorporated town in Howard county in which dogs are taxed by ordinance now or hereafter, shall be exempt from the operation of this act if he has procured a license from and paid for the current year a tax on his dog to said town, and his dog wears about his neck a tag issued by said town.

SEC. 8. *And be it enacted*, That every person who shall maliciously remove from any dog wearing the legal tag pro-