

1 shall be prosecuted within the period of three years from the time of accrual of the same.

The act of 1867, ch. 282 (dealing with limitations), is constitutional and valid. *Hagerstown v. Sehner*, 37 Md. 189.
See notes to sec. 1.

An. Code, sec. 3. 1904, sec. 3. 1888, sec. 3. 1835, ch. 137, sec. 1.

3. In no case shall indemnity be recovered when it shall be satisfactorily proved that the civil authorities and citizens of said county, town or city, when called on by the civil authorities thereof, have used all reasonable diligence and all the powers intrusted to them for the prevention or suppression of such riotous or unlawful assemblages.

See notes to sec. 1.

An. Code, sec. 4. 1904, sec. 4. 1888, sec. 4. 1835, ch. 137, sec. 2.

4. In any suit instituted under this article, the plaintiff may declare generally and give the special matter in evidence.

Cited but not construed in *Hagerstown v. Sehner*, 37 Md. 188.