

1912, ch. 770, sec. 116C.

**192.** No person shall permit his horses, mules, hogs or any cattle of any kind to run at large outside of his own enclosure within the limits of the said town of La Plata; any person violating the foregoing provisions of this section by permitting any one of any species of any of said animals of either gender or of any age, to run at large outside of his enclosure within the limits aforesaid, belonging to him or in his custody or control, for himself or as trustee for others, or as parent or guardian of any infant, shall be subject to a fine of one dollar and costs for each individual of any species of the animals named so permitted to run at large, for the first offense, and for the second offense to a fine of not less than one dollar nor more than ten dollars and costs, to be recovered before a justice of the peace, with such process and formal proceedings, and for such appeal and prayer for jury trial and other rights as now prevail in this county in cases of misdemeanor now punishable by confinement in the penitentiary; provided, however, that in case the said fine shall not be paid after the same shall be imposed by the justice of the peace or the circuit court upon appeal, the same may be collected by the sheriff or any constable or bailiff of said town by process similar to that by which judgments rendered by justices of the peace are collected, or if the sentence imposed shall be reaffirmed upon appeal to the circuit court, are collected by the sheriff, and the sentence of the justice of the peace or the circuit court shall be considered as in the nature of a judgment for the purpose, with the further provision that any property levied upon in pursuance of this Act shall not be subject to any exemption from execution, and in case of a second offense and failure to pay such fine in addition to the above remedy the party committing the same by permitting the animals to run at large as aforesaid, that in no case shall the imprisonment be for more than five days in the county jail of Charles County; and provided further, that instead of process in the nature of an arrest, the justice of the peace shall issue the ordinary process of summons as in civil cases, to be followed by process of arrest, however, in case the party shall fail to appear after summons served upon him. No hogs shall be kept penned or unpenned for any purpose or be slaughtered within the limits of the said town of La Plata; provided, however, that any person or persons may allow hogs to run at large within their own enclosure which covers an area of not less than one and one-half acres, and provided, however, that the Town Commissioners may prohibit such running at large if same becomes a nuisance. Any person violating this provision shall be fined one dollar and costs recoverable as hereinbefore provided; if any animal or animals of any kind heretofore named of which the owner shall be unknown or cannot be found, shall be found running at large in said town, the bailiff shall forthwith seize and impound the same and shall give notice thereof by notice posted at the courthouse door, and if the owner shall not within three days thereafter appear and pay said bailiff the amount of the fine hereinbefore named and twenty-five cents extra for each day in which the said animal shall be taken and impounded, the said bailiff shall sell the same at public