

proceed to give the notice and make the sale in the same manner as provided in Section 393 of this Article, and the owners of said stock shall have the return thereof on the said conditions as provided in that section, and for making a sale under this section the constable shall be allowed the same commissions now allowed by law for the sale of personal property under execution; this provision for commission not to apply to sale of stock taken up by the constable himself.

1904, ch. 531, sec. 4.

395. The said constable thus authorized to make sale of such stock, if not returned to the owner as aforesaid, shall, out of the moneys arising from such sale, first pay the person or persons taking up the stock and the cost, charges and expenses incurred, and damages sustained by the person or persons upon whose land said stock was trespassing, said damage to be ascertained upon the oath of two disinterested sworn appraisers; and the balance, if any, to the owner or owners of such stock, and should no one claim said balance as owner within sixty days of said sale, the constable shall pay the same to the treasurer of the school fund of Dorchester County to be applied to the benefit of the public schools of said county.

LIVERY STABLES—FRAUD ON.

1904, ch. 643.

396. If any person shall hire from any livery stable keeper in Dorchester County any horse, mare, gelding or vehicle of any description whatsoever, to go to any certain place or to any certain distance, and shall secretly use said horse, mare or gelding or vehicle for a greater distance, or in going to some other place with intent to evade payment for such increased use, and shall fail or refuse to immediately pay the said livery stable keeper a reasonable compensation for the additional use of said horse, mare, gelding or vehicle, which additional compensation shall be rated in proportion to the increased distance and use, such person shall, on conviction before any justice of the peace of Dorchester County, forfeit and pay a fine of not less than five dollars nor more than one hundred dollars; and upon failure and refusal to pay said fine and costs, shall be committed by such justice of the peace to the jail of Dorchester County for a period not exceeding thirty days; and in case the judgment of the justice of the peace is against the accused, he shall have the right of appeal to the Circuit Court for Dorchester County, upon entering into recognizance, with security to be approved by the justice of the peace; and in every case the appeal shall be taken within thirty days after the date of conviction.

MILLS.

P. L. L., 1888, Art. 10, sec. 229. 1860, Art. 10, sec. 125.

397. The master, owner, miller or other person properly belonging to or owning any horse or wind mill in Dorchester County may take and receive for grinding any quantity of corn or rye the sixth part thereof.