

they shall report the same in writing to said justice, and said justice shall report in writing to the treasurer of said county whether any such damage has been sustained, and the amount thereof, and the name of the owner or keeper of such dog or dogs, if known, by which such damage was done, and such report so made by said justice shall be filed with the County Commissioners, together with the affidavits and names of all parties who were called as witnesses to the killing of said sheep and the damages resulting therefrom, and the report of the said two disinterested viewers, all of which said papers shall be kept on files properly indexed in the commissioners' office of the County Commissioners of said Allegany County for inspection at any time; provided, however, that any owner of any dog or dogs who shall refuse to kill the same after having been notified by the justice of the peace before whom such claim has been made of such damage done by his or her dog or dogs shall be liable for all damages and costs of the same in suit to be instituted by the claimant before any justice of the peace in said county.

1906, ch. 492, sec. 100B.

127. That upon the finding of any such justice so returned to the County Treasurer aforesaid and certified to by said justice that such presentment of the damages was regular and duly made by the said two disinterested persons summoned as aforesaid, the said County Treasurer shall file all of said papers with the County Commissioners, and if there be money in his hands for this purpose shall draw his order for the amount of said damages and costs which said claimant has sustained according to the report of said justice of the peace; provided, that no person shall receive any order for any claim until he or she has made an affidavit according to law before such justice of the peace that due diligence has been used to ascertain whose dog or dogs did such damage.

1906, ch. 492, sec. 100C.

128. That if the report of the justice of the peace made in accordance with the provisions of Section 126, the names of the owner or owners of any dog or dogs having caused loss or damage to sheep shall be definitely and conclusively known, who have not complied with Section 127 of this Article, then it shall be the duty of the County Commissioners to notify such owner or keeper immediately to kill said dog or dogs, and upon failure of such owner or keeper to comply with such order within a period of ten days, then it shall become the duty of the constable of the respective district of said Allegany County in which said dog or dogs are kept, upon notice from said County Commissioners, to kill the said dog or dogs, for which service he shall be entitled to twenty-five cents for each dog so killed, and fifty cents for burying each said dog so killed and buried, to be paid out of the fines hereinafter provided, upon a certified statement that such dog or dogs were killed and buried by him to the County Commissioners of said county, who shall issue such order on the treasurer of