

1935, ch. 348.

327. In Calvert County, the County Commissioners shall prepare and furnish to the County Treasurer and to the Constables of said County the metal tags as provided by Section 325 but shall not furnish any of said tags to the Justices of the Peace of said County. The Constable of each Election District shall be entitled to the fee of twenty-five cents for each such license issued for his district, whether such license be issued by the County Treasurer or by said Constable. It shall be the duty of the County Treasurer to remit each month to said Constables the fee of twenty-five cents for each license issued by him for their respective districts.¹

An. Code, 1924, art. 81, sec. 209. 1918, ch. 497, sec. 198. 1929, ch. 226, sec. 270 (p. 711).

328. Any person may kill any dog which he sees in the act of pursuing, worrying, wounding or killing any poultry or livestock, or attacking human beings whether or not such dog bears the proper license tag required by these provisions. There shall be no liability on such persons in damages or otherwise for such killing. Any unlicensed dog that enters any field or yard shall constitute a private nuisance and the owner or tenant of such field or yard, or other agent or servant, may kill such dog while it is in the field or yard without liability or responsibility of any nature for such killing and any person may kill a female dog running at large while in heat without liabilities therefor.

Cited in *Baker v. Howard Co. Hunt*, 171 Md. 173.

An. Code, 1924, art. 81, sec. 210. 1918, ch. 497, sec. 199. 1929, ch. 226, sec. 271 (p. 711). 1939, ch. 526.

329. All monies arising from the dog licenses or taxes shall be kept in a separate fund by the treasurer of the respective counties, and shall be used for the payment of damages for the injury and killing of sheep, poultry or other livestock in said respective counties. In the event the same are not sufficient for the payment of all such damages the said damages shall be paid in the order the claims are presented, and any person or persons whose claims are not paid in any one year by reason of the lack of money to the credit of the said fund, which is to be designated "The Dog License Fund," shall be paid out of the first money coming into the fund after his claim is reached, and shall be paid in the order in which said claims are proved and filed; and any claims now filed and passed upon, but remaining unpaid, shall have preference over any new claims in the order of payment. Any funds in excess of one thousand dollars (\$1,000) remaining in the hands of the treasurer of any county except Baltimore County after the payment of the claims as aforesaid, unused for such purpose at the end of each fiscal year, shall be used by said county either for the public schools, or for the public roads, as the board of county commissioners of said county may direct. The County Commissioners of Baltimore County are hereby authorized to expend any funds in excess of one thousand dollars (\$1,000) remaining in the hands of the Treasurer of Baltimore County after the payment of the claims as aforesaid, for any public purpose which, in their judgment, may seem right and proper, and are further empowered, whenever in their judgment it may become necessary to do so, to enter into a contract or agreement with such persons,

¹ Sec. 2 of ch. 348 of acts of 1935 repealed all laws inconsistent therewith to extent of such inconsistency.