

and the location of the enclosure on which said estray was taken up, and the name of the owner or occupant thereof, and shall cause written or printed copies of such notice to be set up in not less than three of the public places in the neighborhood. This section not to apply to Dorchester county, as to which a different provision is made by the local laws of that county.

P. G. L., (1860,) art. 36, sec. 3. 1882, ch. 162.

2. If there be no newspaper published in the county where said estray shall have been taken up, or if the value of said estray shall not exceed ten dollars, the newspaper publication provided for in the foregoing section may be omitted; provided, that written or printed notices be set up as required by section 1, and that the valuation of any estray be ascertained by due care, and in good faith, by the person who shall have taken up the same.

Ibid. sec. 4. 1769, ch. 18, sec. 2.

3. If the owner of an estray demands it, and shall prove, by one credible witness examined before a justice of the peace of the county, his title thereto, the same shall be delivered to him on his paying the expenses incurred by the person taking up such estray and keeping the same, including the cost of advertising.

Ibid. sec. 5. 1769, ch. 18, sec. 2.

4. If no person claims an estray within three months after the same shall have been advertised as aforesaid, then the person taking up the same shall apply to a justice of the peace of the county, who, upon being satisfied that the notices hereinbefore directed have been given, shall order him to sell the same at public sale on ten days' notice, to be set up at three of the most public places of the neighborhood; and after deducting from the proceeds of sale all expenses incident to taking up, keeping, advertising and selling such estray, the residue shall be retained by the person selling the same, unless the owner of such estray shall, within twelve months from the time of sale, claim such residue, and prove before some justice of the peace that he is entitled thereto.

Ibid. sec. 6. 1769, ch. 18, sec. 3.

5. If any person shall take up an estray of the value of ten dollars, and shall fail to comply with the provisions of the pre-