

them, or the clerk of said court shall neglect or refuse to perform the duties required of them by any section of this sub-title, they shall be deemed guilty of a misdemeanor, and upon indictment and conviction therefor shall be fined not less than fifty nor more than one hundred dollars, and costs, for such offence, and stand committed until such fine and costs are paid.

#### **LIVE STOCK RUNNING AT LARGE.**

1878, ch. 162.

**220.** Whenever any kind of stock shall be impounded for trespass in Dorchester county, and any person shall take away the same without the knowledge and consent of the party trespassed upon, or his lawful agent, the party so trespassed upon shall have the right to procure said stock and have the same returned to his custody by making affidavit to the facts before a justice of the peace of the district in which he resides, who shall thereupon issue his warrant to a constable to levy upon and bring such stock before him upon a day named in the warrant, and shall at the same time issue a summons to the person so alleged to have taken away the same, notifying him to appear before him and show cause why said stock shall not be returned to the party making such affidavit; and either party shall have the right to summon witnesses, and trial shall be had and judgment given for the return of said stock or the dismissal of the complaint, together with the costs of the case as justice may require.

Ibid.

**221.** If judgment be given in favor of the plaintiff the said stock shall at once be delivered to him, and his duties under the law of impounding for trespass shall begin anew from such date; provided, that either party shall have the right of appeal as in other cases, but execution of the judgment shall go on unless stayed by bond, as in other cases of appeal.

Ibid.

**222.** The constable making such levy shall be entitled to two dollars therefor and reimbursement for his actual expenses in keeping said stock in custody, in addition to his fees for serving process as is now or may hereafter be allowed by law.