

horses, hogs, sheep or black cattle to enter on any of the lands of any citizen residing west of Savage river in Allegany county, whether said lands be enclosed or not, without the permission or license of such owner.

P. L. L., (1860,) art. 1, sec. 164.

**232.** Any entry of such cattle shall be deemed a trespass, and such cattle shall be liable in damages to the person aggrieved in a sum not exceeding fifty cents for each head of horses, hogs, sheep or black cattle thus trespassing, for each day they shall be and remain on the land and premises, to be recovered before any justice of the peace of the county as hereinafter directed.

Ibid. sec. 165.

**233.** If any such horses, hogs, sheep or black cattle shall at any time be found running at large on the lands of any person within the limits aforesaid, the owner of the lands, his agent, tenant or overseer, may consider them as trespassing, and may distrain them by impounding in an enclosure; and it shall be the duty of the person making the distress to deliver on oath over his own name and under date, a description in writing of the horses, hogs, sheep, or black cattle distrained, with their natural and artificial marks, within two days after making the distress, to some justice of the peace who shall reside nearest to the place where the distress was made; and the justice shall file the same among the papers of his office, and give a copy thereof over his own signature to the person making the distress; and such person may sell the said horses, hogs, sheep or black cattle, or so many thereof as may be necessary to pay the sum of fifty cents on each and every head for each day trespassing as aforesaid.

Ibid. sec. 166

**234.** The person making the distress and selling as aforesaid, shall, before making such sale, give notice of the time and place thereof, by public advertisement, set up at three or more public places in the neighborhood where such distress was made, and setting forth in such advertisement the certified copy of the justice of the peace, giving the natural and artificial marks of said horses, hogs, sheep or horned cattle.