

100 B. 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.

OHAP. 492

Papers to be filed with county commissioners.

100 c. That if the report of the justice of the peace made in accordance with the provisions of Section 100 A, 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 100 B of this Act, 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 said county, unless payment has been made by the owner as provided in Section 100 A.

Owner of dog to be notified to kill said dog, etc.

100 D. That the justice of the peace, for special services under the provisions of this Act, shall be entitled to one dollar for each case, and the two disinterested persons shall receive each seventy-five cents for the time necessary spent by them in investigating each claim, said cost to be paid by claimant in each case; provided, that in all cases where damages are awarded, the fee paid by claimant shall be included in the amount of such damage.

Compensation.