

more, as a fee for the person impounding, and one dollar per head for each day or part of day they may have been kept, and all costs of advertising; and in default of paying the same, or if the owner does not claim the stock or geese impounded within five days from the time of posting the notice aforesaid, it shall be lawful for the person impounding to sell the stock, swine or geese impounded, for cash, at public sale, within said limits, upon giving four days' notice of the time and place of sale, by written or printed bills, to be posted in at least five public places within the above described limits; and from the proceeds of such sale to deduct the costs and charges hereinbefore allowed, the costs of sale and the penalties prescribed in the succeeding section, and the balance of the sale, if there be any, shall be paid over to the owner of the stock or geese sold, if applied for within sixty days from the time of sale.

423. The owner of any horse, mule, horned cattle or swine, or lot of geese, including two or more, who shall allow the same to go at large and unattended by a keeper, within the village of Towson, or within the limits prescribed in section 420 shall be liable to a fine of five dollars for each horse, mule, head of cattle or swine, or lot of geese, so allowed to run at large unattended, in addition to the charges and costs above provided for, to be imposed by a justice of the peace within the limits aforesaid; and it shall be the duty of the person impounding any such stock or geese, or knowing the same to be running at large, to report the same to a justice of the peace, together with the name of the owner, so soon as he discovers the same; and it shall be the duty of such justice of the peace to forthwith issue a summons against such owner in the name of the State, for the use of the person informing, to answer in a plea of trespass; and if it shall appear upon testimony taken that such swine, stock or geese were found going at large within the limits prescribed in section 420, the justice shall render judgment against the owner for the sum of five dollars, as herein prescribed, together with costs; the said fine to be paid, one-half to the informer and the other half to the person upon whose premises the stock or geese were found trespassing; provided, that if the owner of such stock, swine or geese shall make it appear to the justice of the peace that the same went at large through no fault or negligence on the part of himself or agent, and that he and his agent or servant used reasonable care to prevent the same, then the said fine shall not be imposed, but judgment shall be given for costs only.