

CHAP. 165.

CHAPTER 165.

Passed Mar. 5, 1835 *An act to prevent Trespass west of Savage River in Allegany County.*

Non residents stock prohibited	Section 1. <i>Be it enacted by the General Assembly of Maryland,</i> That from and after the passage of this act, it shall not be lawful for any person or persons who do not bona fide reside in Allegany county, to drive or cause to be driven or suffer or permit any of his, her, or their horses, hogs, sheep, or black cattle, to enter on any of the lands of any citizen residing west of Savage River, in said county, whether the said lands be enclosed or not closed, without permission or license of such owner or owners, for that purpose first had and obtained.
Trespass defined	Sec. 2. <i>And be it enacted,</i> That every entry of any such horses, hogs, sheep, or black cattle, contrary to the provisions of this act, shall be deemed in law a trespass by the owner, person or persons having the care or charge of such horses, hogs, sheep, or black cattle, and all horses, hogs, sheep, or black cattle, shall be liable in damages to the person or persons aggrieved in a sum not exceeding fifty cents on each head of horses, sheep, hogs, or black cattle, thus trespassing, for each day that they shall be and remain on the lands or premises, of any citizen aforesaid, to be recovered and made before any justice of the peace for said county, in manner prescribed by the third section of this act.
Penalty	
Stock running at large	Sec. 3. <i>And be it enacted,</i> That if any horses, hogs, sheep, or black cattle, shall at any time be found running at large on the lands of any person or persons, within the limits prescribed in the first section of this act, it shall and may be lawful for the owner or owners of the lands, his, her, or their agent, tenant or overseer, to consider such horses, hogs, sheep or black cattle, so running at large as trespassing, and the said owner or owners of the said land, his, her, or their agent, tenant, or overseer, may distrain the said horses, hogs, sheep and black cattle, by impounding or confining such horses, hogs, sheep or black cattle, in an enclosure, and it shall be the duty of the person or persons making the distraint to deliver on oath or affirmation, over his own name and under date, a description in writing, setting forth the number of horses, hogs, sheep, or black cattle, thus distrained, with their natural and artificial marks, within two days after the distraint shall have been made, to some justice of the peace for said county, who shall reside near-
Deemed trespass	
Impounding	
Proceedings therein	