

SEC. 1. BE IT ENACTED *by the General Assembly of Maryland*, That from and after the first day of March next, it shall not be lawful for any person not an inhabitant of Allegany county, to drive, or keep, or cause to be driven or kept in said county, any horses, cattle or hogs, and there suffer them to remain and run at large; and if any horse, cattle or hog shall be found going and running at large therein for the space of two weeks, contrary to the provisions of this act, it shall and may be lawful for any person or persons to impound the same, and such person or persons shall immediately give notice by advertisement set up at two of the most public places of the hundred in which the said horse, cattle or hog may be impounded, describing the horse, cattle or hog so impounded, and if the owner or owners shall not within ten days thereafter prove his, her or their property therein, and make compensation for the injury, (if any,) which may have been sustained by any inhabitants of said county, to be ascertained by any two disinterested persons, inhabitants as aforesaid, and shall not pay for every horse, bull, steer, cow, heifer, or hog, the sum of twelve and a half cents for every day it shall be impounded, it shall and may be lawful for the person or persons so impounding as aforesaid, to sell or dispose of the same at public sale, the money arising from such sale to be applied to the payment of the damages sustained by any inhabitant as aforesaid and the allowance for impounding as aforesaid, the balance to be paid to the owner when demanded; or it may be lawful for any person or persons whatsoever, who may feel himself or themselves aggrieved, to drive, dog or in any manner force and compel the same without the limits of said county: *Provided nevertheless*, AND BE IT ENACTED, That the provisions of this act shall not extend to, or affect any person not an inhabitant of said county, who may actually hold in his own right, or in right of his wife, a tract of land not less than fifty acres, and on which there shall be a settlement and improvement where a tenant shall constantly reside, and himself occasionally.

1812.

Persons not inhabitants of said county shall not drive horses, &c—penalty—how to be recovered.

Proviso.

2. AND BE IT ENACTED, That if any person or persons shall be sued or impleaded for any thing done in pursuance of this act, he may plead the general issue, and give this act and the special matter in evidence, and if the plaintiff shall be nonsuit or discontinue his action, he shall pay costs and such

Persons sued to give this act in evidence.