

**CHAP. 169.**

every such offence, forfeit and pay to the said company, a sum not exceeding one hundred dollars, which may be recovered in the name of the said company by an action of debt, in the court of Allegany county, and shall also be subject to indictment in said court, and upon conviction of such offence, shall be punished by fine or imprisonment, in the discretion of the court.

Time of commencing and finishing limited.

**Sec. 25.** *And be it enacted,* That if this road shall not be commenced in five years from the passage of this act, and shall not be finished in six years from the time of the commencement thereof, then this act shall be null and void.

**CHAPTER 169.**

Passed Feb. 19, 1832

*A supplement to an act entitled, An act for the protection of Sheep in the several counties of this state.*

Owner to kill offending dog.

*Be it enacted by the General Assembly of Maryland,* That if any dog or dogs shall be detected in killing or injuring any sheep, and the same shall be proven, by oath or affirmation of the owner of said sheep, or of any other person, being a competent witness under the laws heretofore existing in this state, before a justice of the peace, that upon complaint and information of such proof, to the owner or owners of said dog or dogs, he, she or they shall proceed forthwith to kill said dog, and on his, her or their refusal or neglect to do so, it shall and may be lawful for the owner or owners of said sheep, to kill said dog or dogs afterwards found running at large, or apply to a constable, whose duty it is hereby declared to be upon the party so calling upon him, producing the affidavit hereby required, to proceed forthwith to the house of the owner or owners of said dog or dogs, and to kill said dog or dogs there or wherever else found, and for the discharge of the duties hereby imposed, the constable shall be entitled to receive the sum of four dollars, for every dog so killed, to be paid by the owner or owners of said dog or dogs, and to be collected as other constables fees are; *\*Provided,* That if said dog or dogs shall have been immediately killed by the owner or owners thereof, upon complaint, information and proof of the owner or owners of said sheep, as provided in this law, then, and in that case, the owner or owners of said sheep shall not have cause of action against the owner or owners of said dog or dogs.

Constables duty prescribed.

His reward.

General proviso.

\* This proviso is omitted in the engrossed bill through mistake.