

fence or fences, after twenty days notice shall have been given to him, her or them, by the person or persons aggrieved, he, she or they, may apply to a justice of the peace of said county, who is hereby authorized, upon proof of the notice aforesaid, to appoint two respectable freeholders, living near and not related to, the said litigant parties, whose duty it shall be to examine the said division fence or fences, and to fix the amount which, in their judgments, may be necessary to make or repair the one-half or portion of the said division fence or fences; and the said freeholders are hereby empowered, in case they differ in opinion, to appoint a third person as umpire, and it shall be their duty, under their hands and seals, to make out their award, verified by affidavit, and deliver a copy of the same to the said justice of the peace, and to each party interested, within five days after determining on said award; and if the party owning that part or portion of the division fence or fences, required to be made or repaired by the decision of the said freeholders, shall fail to make or repair the same, according to the provisions of this act within thirty days after the service of said award, then it shall and may be lawful for the other party who has his, her or their portion of said division fence or fences in good order, to proceed to make or repair said fence or fences, the expense whereof shall not exceed the amount fixed by said award; and as soon as the fence or fences shall be made or repaired in conformity with this act, and so certified by the freeholders aforesaid, or any one of them, then such person or persons shall be entitled to recover from the party neglecting or refusing as aforesaid, the amount expended, in the same manner as other small debts are now by law recovered, where the amount of damages awarded as aforesaid does not exceed the sum of fifty dollars.

SEC. 3. *And be it enacted*, That if any person or persons shall fail to make or keep in good repair his part of said division fence or fences, as directed by this act, and shall maim, kill, or otherwise injure, any description of stock found on his, her or their enclosures, he, she or they shall, upon conviction, pay to the owner or owners thereof the full value of such stock, with costs of suit, and in case the damages claimed or laid shall not exceed fifty dollars, the same shall be recovered before a justice of the peace, in the same manner as other small debts are now recovered.

Penalty on persons failing to keep his part of fence in repair.

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FERRIES.

A SUPPLEMENT to the ACT, entitled, an additional Supplement to the Act, entitled, an Act to regulate Public Ferries.—1824, ch. 109.

*Be it enacted, by the General Assembly of Maryland*, That the justices of the levy court of Anne Arundel county are hereby vested with all the powers and authority given to the county

Levy court empowered to contract.