

rail, and the first or under rail, either in post and rail or worm fences, shall not exceed five inches from the ground, or embankment, or stone wall, as the case may be, on which the same is or shall be built; and the distance or space between each of the three lower rails shall not exceed five inches; and all fences made of stone exclusively, and hedges of thorn close set, shall be at least four feet and a half high from the ground to the top thereof. And if any horses, horned cattle, sheep or hogs, shall break into any person's enclosure, the same being of the height and sufficiency aforesaid, then the owner of such horses, cattle, hogs and sheep, shall be liable to make good all such damages to the owner of such enclosure, as shall be found and awarded by two respectable land-holders, who may view the same, under their oath or affirmation made before some justice of the peace in said county; the said damages to be recovered in the same manner that is or shall be prescribed by law for the recovery of debts.

Joint
fences.

SEC. 2. *And be it enacted*, That whenever any person or persons have joined or shall join fences for their mutual benefit and advantage, it shall be obligatory on each of the parties to keep up and in good repair, his, her, or their respective proportions thereof; and if any one of the owners or possessors, upon the request of the other, shall refuse to make or repair the said fence or fences, within twenty days after notice given, that then, upon proofs thereof before a justice of the peace, it shall be lawful for the said justice to order the person aggrieved and suffering thereby, to repair the said fence or fences, who shall be reimbursed his costs and expenses, to be recovered in the same manner as is or shall be prescribed by law for the recovery of debts.

Inufficient
fences.

SEC. 3. *And be it enacted*, That whosoever, not having their grounds enclosed with such sufficient fence as aforesaid, shall hurt, kill or do damage to any horse, sheep, hogs or any kind of cattle belonging to any other person, by hunting or driving them out of or from the said grounds, shall make good all such damages sustained thereby, to the owner or owners thereof, as shall be awarded by two respectable land-holders under their oath or affirmation, who may view the same, the said damages to be recovered in the same manner as is prescribed for the recovery of damages in the two first sections of this act.

FISH.

A further SUPPLEMENT to the ACT, entitled, an Act for the preservation of the Breed of Fish.—1819, ch. 175.

Constables
to be ap-
pointed to
examine

SEC. 1. *Be it enacted, by the General Assembly of Maryland*, That the levy court of Harford county and Cecil county, be, and they are hereby authorized and required, each to appoint