

Queen Anne's and Talbot counties, for the mutual benefit and advantage of different owners or possessors of adjoining lands, it shall be the duty of each party to keep up in good repair his, her, or their just and respective proportion thereof; in the manner following, that is to say, all post and rail or plank fences, shall be at least four and a half feet high, and all worm or other fences shall be at least five feet high, the distance in every case to be computed from the ground or base of any embankment upon which said fence may be placed.

Height regulated.

SEC. 2. *And be it enacted*, That if either of the parties so making or keeping a joint fence, shall not comply with the foregoing provision, and shall refuse or delay, to repair the said fence within twenty days after notice in writing shall be given to the said party, his agent or overseer, then upon proof thereof, before a justice of the peace, it shall be lawful for the said justice, under his hand and seal, to authorize the party aggrieved, and suffering by such refusal or delay, to repair the said fence, as above required, and for so doing shall be re-im-bursed, all costs and reasonable expenses necessarily incurred, to be recovered from the party so refusing or delaying, in the same manner as debts of a like amount are now recoverable.

Case of neglect.

SEC. 3. *And be it enacted*, That in case joint fences are not made and kept in repair according to the provisions of this act; it shall also be lawful for the party aggrieved, or likely to be injured, instead of pursuing the remedy above allowed, to discontinue the said fence, upon giving three months notice in manner aforesaid, and in all other cases, (unless by mutual consent,) twelve months notice shall be required to discontinue any joint fence.

Discontin-
uance.

GAOL.

AN ACT authorizing the Justices of the Levy Court in Queen Anne's County to levy a sum of money for the building a Prison in the said County, and to regulate the same.—1797, ch. 17.

WHEREAS, it is represented to this general assembly, that the sums of money formerly levied on the inhabitants of Queen Anne's county, for the purpose of building a court-house and prison in the said county, are inadequate for that purpose, and that the prison is not yet built,

Preamble.

SEC. 2, 3. Authorize a levy for building a Gaol.

SEC. 4. *And be it enacted*, That the said commissioners, or a majority of them, in planning and directing the building of the said gaol, shall lay off two apartments and a cellar, and reserve and appropriate the same to the residence of the keeper of the said gaol; and the said commissioners, as soon as the said building shall be completed, shall return a fair and faithful account of their proceedings and expenditures to the jus-

Two apart-
ments to be
laid off, &c.