

dollars, conditioned for the faithful performance of the duties imposed on him by law, which bond shall be recorded in the office of the clerk of the Circuit Court for Charles county.

37. He shall upon application exhibit the books, papers and levies in his office, and make copies or extracts thereof, to any person free of charge.

38. He shall receive a salary not exceeding two hundred and fifty dollars per annum.

39. He shall attend at the court-house in said county on each Monday and Tuesday in the months of March and April in every year, for the purpose of making changes and transfers of property.

ELECTIONS.

40. Charles county is divided into four election districts, according to their present bounds and limits, in each of which districts elections for public officers shall be held at the place now established by law.

FENCES.

41. Partition fences between the adjoining fields of different proprietors in Charles county, shall be made and repaired by the parties respectively owning or occupying the fields at their joint and equal expense, and upon failure of either party to make or repair his respective proportion of such fence, or pay his equal share of the costs thereof, he shall be answerable therefor in an action of debt, to be recovered before a justice of the peace; but no person shall be so answerable unless the fence, for the making or repair of which he shall be sued, shall have been constructed of the usual materials and in the ordinary way.

42. No action of trespass *quare clausum fregit*, in Charles county, shall be adjudged to be maintained or supported by evidence that the defendant, or any horse, cow, hog or other domestic animal belonging to him, passed on or over any waste or unenclosed land in said county, or by proof that any such animal trod down or ate the grass or herbage or rooted up or disturbed the soil or earth on any such waste or unenclosed land, and the defendant in any such action may plead the general issue and give the special matter in evidence.