

any kind or description of live stock, the defendant or defendants, may plead the general issue and give the special matter in evidence, under this act, and the plaintiff, in each and every suit, shall be nonsuited and mulcted in costs, where it shall be clearly proven, by legal and competent testimony, that the lands, wherever the said trespass shall be alleged to have been done or committed, were not enclosed according to the provisions of this act.

Approved, 3d March, 1874.

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CHAPTER 47.

AN ACT to repeal sections one hundred and five and one hundred and six, of article three, of the Code of Public Local Laws, title "Baltimore county," sub-title "Fences," and sections one hundred and ninety-five, one hundred and ninety-six and one hundred and ninety-seven, of article three, of the Code of Public Local Laws, title "Baltimore county," sub-title "Trespass."

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That sections one hundred and five and one hundred and six of article three of the code of Public Local Laws, title "Baltimore county," sub-title "Fences," and sections one hundred and ninety-five, one hundred and ninety-six, and one hundred and ninety-seven, of article three of the code of Public Local Laws, title "Baltimore county," sub-title "Trespass," be and the same are hereby repealed. Repealed.

SEC. 2. *And be it further enacted,* That this act shall take effect from and after the date of its passage. In force

Approved, 3d March, 1874.