

CHAPTER 65.

AN ACT to repeal sections one and two of an act of the General Assembly of Maryland, passed at January session, eighteen hundred and seventy-two, chapter two, entitled "an act regulating fences in Wicomico county," and to re-enact the same with amendments.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That sections one and two of an act of the General Assembly of Maryland, passed at the January session, eighteen hundred and seventy-two, chapter two, entitled "an act regulating fences in Wicomico county, be, and the same are hereby repealed and re-enacted, so as to read as follows: Repealing and re-enacting

1. All fields and other grounds kept for enclosure in Wicomico county, shall be fenced with posts and rails, or planks, or worm fence, made of good and substantial rails, at least four feet high, from the ground to the top of the upper rail; and the first or under rail, in post and rail, or plank, or worm fences, shall not exceed five inches from the ground or embankment, on which the same is or may be built; and the width between the rails or planks, comprising the fence, shall be such as is usual in the construction of good post and rail, plank, or worm fences; and all brush fences, made upon the surface of the ground, to be at least four feet high, and all brush fences, made upon an embankment, to be at least three feet high: provided, the embankment be eighteen inches high; and if any live stock of any kind or description whatever, shall break into any person's enclosure, the same being of the height and sufficiency aforesaid, then the owner or owners of such live stock, shall be liable to make good all such damages to the owner or owners of such enclosure, as shall be found and awarded by two or more judicious persons to be appointed by a justice of the peace in said county, said persons to view the same under oath, and make return before the justice of the peace, by whom they were appointed; and the said damages to be recovered in the same manner that is, or shall be prescribed by law for the recovery of Fences  
Height and depth  
Proviso  
Damages.