

small debts; provided, nevertheless, upon the trial before any justice of the peace for damages, at the instance of either party, it shall be the duty of said justice of the peace, to issue a subpoena for such witnesses, as either plaintiff or defendant may require.

Joint fences

2. Wherever joint fences have been, or may be established in said county, for the mutual benefit and advantage of different owners or possessors of adjoining land, it shall be the duty of each party to keep up in good repairs, his, her, or their just and respective proportion thereof, in manner following: that is to say, that all fences of whatever kind, shall be at least four feet high, the height in every case to be computed from the ground, or base of any embankment upon which said fence is, or may be placed.

Approved, March 16th, 1874.

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#### CHAPTER 66.

AN ACT to authorize the transfer of certain land records, and extracts of deeds from the office of the Clerk of the Court of Appeals, to the office of the Commissioner of the Land Office; to repeal section forty of article eighteen of the code of Public General Laws, and to repeal section fifty-five of the same article, and to enact a substitute therefor.

Authorized to  
remove record.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That the Clerk of the Court of Appeals is hereby authorized and directed to cause all books containing deeds and transfers of soldiers lots, and all other land record books and papers, including extracts of deeds now in his office, to be removed and transferred to the office of the Commissioner of the Land Office.

Authorized to  
receive record.

SEC. 2. *And be it enacted,* That the Commissioner of the Land Office shall receive and have custody of the books and extracts aforesaid, and of all the other extracts of deeds which shall be hereafter received by him, and shall give certified copies of such deeds