

CHAP. 138.

lished in 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.

Case of neglect.

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 authorise the party aggrieved, and suffering by such refusal or delay, to repair the said fence, as above required, and for so doing shall be reimbursed, 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.

Discontinuance.

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.

CHAPTER 138.

Passed Feb. 27, 1231 *An act for the regulation and improvement of the Village of Denton, in Caroline county, and for other purposes.*

Preamble.

WHEREAS, the commissioners of the village of Denton, have erected on the public ground in said village a market house; *And whereas*, the members of the Washington Lodge No. fifty-nine, of free and accepted masons, have erected over said market house a room or rooms, to be occupied as a lodge room or rooms: *And whereas, also*, it is represented to this General Assembly, that it would greatly contribute to the advantage of the said village of Denton,