

a lien on the adjacent arable land or farm of the person who shall have refused or delayed to make and repair the fence, so as to secure the reimbursement of the costs and expenses of such making and repairing in the event of the transfer of the land; provided, the proceedings to enforce such lien be commenced by the party or his representatives within two years next after such repair shall have been done.

1878, ch. 304.

**142.** If joint fences are not made and kept in repair according to the provisions of section 140, the party aggrieved or likely to be injured, instead of pursuing the remedy prescribed in the preceding section, may discontinue the said fence upon giving three months' notice in writing to the party refusing or delaying, his agent or tenant; and in all other cases, (unless by mutual consent,) twelve months' notice shall be required to discontinue any joint fence.

#### FISH.

1862, ch. 241.

**143.** Any person throwing or placing lime or any poisonous substances into any of the creeks, streams of water, or any of their tributaries, in Frederick county, for the purpose of catching, taking or destroying fish in any of the creeks, streams of water and their tributaries in the county, shall, for every such offence, upon conviction thereof before a justice of the peace of said county, be fined in a sum not less than twenty nor more than fifty dollars; said fines to be applied to the school fund of the county.

Ibid.

**144.** In the event of the failure or refusal of any person so convicted, to pay such fine, the justice of the peace imposing the fine shall commit him to the jail of the county for not less than three nor more than six months.

1874, ch. 173.

**145.** It shall not be lawful for any person to take, capture or destroy fish by seines, drag-nets, fish-baskets or fish-pots, eel-weirs, brush or fascine nets, or any means or contrivance whatever, of the nature of a seine, which are known to destroy or capture fish,