

tenant of the property whereon such damage shall be done, shall be liable to an action of damages for the injury to the full amount of the actual damages, to be estimated by two disinterested persons, one chosen by each party, and to be recovered before any justice of the peace of the county; and if either party shall refuse to appoint an appraiser of such damage for the space of five days from the injury done, any justice of the peace may appoint an appraiser in his stead.

1884, ch. 172.

104. It shall not be lawful for any person to have, erect, maintain or permit to stand upon his property, any fence or other obstruction along the side of any public road in said county, so built as to cause snow to drift upon said road; and every fence so erected along any such public road, in places where snow is liable to drift, shall be built in such manner as to admit of the free passage of snow through the same.

Ibid.

105. Any person violating the provisions of the preceding section shall be fined not exceeding ten dollars nor less than five dollars for every offence; and each day that such fence or other obstruction shall be maintained or permitted to remain shall constitute a separate offence.

Ibid.

106. In all cases where any fence is now in existence along any public road in said county which causes snow to drift upon such road, the county commissioners are authorized to co-operate with the owner of such fence to replace the same by a wire fence, and only where absolutely necessary to prevent drifting of snow, and by so many strands of wire as will be necessary for the free passage of snow through the same; and in all cases the county commissioners are authorized to purchase wire for the making of such fences; provided, that the owner thereof will furnish the labor required in the erection of such wire fence at his own cost; and they are authorized to levy the cost of such wire upon the assessable property of said county, as other county expenses are now levied.