

## CHAPTER 101.

AN ACT to compel all persons owning land bordering on and adjoining the tract of land in the "Great Swamp" of Anne Arundel county, known as the "Common," to construct and keep in good repair their fences dividing their property from the said common.

**Fences.** SECTION 1. *Be it enacted by the General Assembly of Maryland,* That all persons owning land adjoining the tract of land situate in the "Great Swamp" of Anne Arundel county, known as the "Common," shall construct and keep in good repair their fences dividing their land from said "Common," and if such fences are made of posts and rails, shall be at least four feet high from the surface of the ground, and of good material; the average distance between the two lowest rails not to exceed four inches, and the lowest rail not to be more than four inches from the surface of the ground, and if a worm fence, to be made of good and substantial rails, staked and ridged, and at least five feet high from the surface of the ground to the top of the upper rail, and if any person shall fail to keep in good repair his or her fence, as herein provided, and shall maim, kill or otherwise injure any stock found on his or her premises or enclosure, and entering thereon through such defective fence, the person so offending shall upon conviction thereof, before a justice of the peace, be fined not less than one dollar nor more than ten dollars, together with the costs of prosecution, and shall stand committed until such fine and costs are paid, and shall also pay to the owner thereof, the full value of such stock and costs of suit, and shall forfeit all right to recover damages for any trespass so committed upon his or her premises by any stock so entering thereon.

**Effective.** SEC. 2. *And be it enacted,* That this act shall take effect from the date of its passage.

Approved March 14, 1890.

## CHAPTER 102.

AN ACT to repeal section forty of article eleven of the Code of Public Local Laws of Maryland, entitled "Frederick county," sub-title "Birds and Game," and to re-enact the same with amendments.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That section forty of article eleven of the Code of Public Local