

made of good and substantial rails ; the said rail and log fence shall at least be five feet high from the ground to the top of the upper rail, and the space between the said rails and logs from the ground, for two feet, shall not exceed four inches, and the next eighteen inches upwards not to exceed six inches, and the balance of the five feet not to exceed eight inches ; the plank fence shall be three feet and ten inches high, the first plank shall be three inches from the ground, the space between the bottom plank and second plank four inches, between second and third plank four and a half inches, between the upper plank and the one below it ten inches, and if any live stock of any kind and description whatsoever shall break into any person's enclosure, the same being of the height and sufficiency aforesaid, then the owner or owners of said live stock shall be liable to make good all such damages to the owner or owners of such enclosure, as shall be found and awarded by two or more judicious persons, to be appointed by a justice of the peace for said county, the said persons to view the same under oath and make return before the justice of the peace before whom they were appointed ; and the said damages to be recovered in the same manner that is or shall be provided by law for the recovery of 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 witness as either plaintiff or defendant may require

Height.
Live stock
Liable to damages.
Award by judicious persons.
How recovered.
Justice to issue subpoena.

SEC. 2. *And be it enacted*, That whenever joint fences have or may be established in said Meekin's Neck for the mutual benefit or advantage of different owners or persons of adjoining lands, it shall be the duty of each party to keep up in good repair his, her or their just and respective porportion thereof in manner following, that is to say—all post and rail or plank fence shall be of the heights above prescribed, the height in every case to be computed from the ground or bank, if any embankment upon which said fence is or may be placed.

Joint fences.
Duty of each party.
Height to be computed

SEC. 3. *And be it enacted*, That if either of the parties, so making or keeping a joint fence, shall not