

CHAPTER 256.

AN ACT to regulate the fences in Tangier and Dames' Quarter Districts, in Somerset county.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That all fields and other grounds kept for enclosure in Tangier and Dames' Quarter Districts, in Somerset county, shall be fenced with post and rail, or plank, or with a worm fence, made of good and substantial rails, at least four feet high from the ground to the top of the highest rail, and the first or under rail, in post and rail or plank or worm fences shall not exceed in distances five inches from the ground or embankment upon which the same may be built, and the width between the rails or planks of which the fence may be built shall be such as is usual in the construction of fences of this kind; and all brush fences made upon the surface of the ground shall be at least four feet high; and all brush fences made upon an embankment of earth thrown up upon the ground shall be at least three feet high, the embankment, nevertheless, shall be eighteen inches high; and if any live stock of any kind or description whatever shall break into any persons enclosure, the enclosure of which shall be fences of the above description and proportions, then the owner or owners of such live stock shall be liable to make good all such damages to the owner of such enclosures as shall be found and awarded by two or more judicious persons, to be appointed by a justice of the peace of one of the said districts where the enclosure so trespassed upon shall be located, which said persons shall view the place, after having been sworn to value and assess the damages truly as they shall to them appear, and after having so viewed the damages and assessed the same, under oath, they shall make a return thereof before the justice of the peace by whom they were appointed; and these said damages to be recovered in the same manner that is prescribed by law for the collection of other judgments upon the docket of a justice of the peace; provided, nevertheless, that upon the trial thereof before a justice of the peace for the damages, at the instance of either the plaintiff or defendant, it shall

All grounds shall be fenced

Height of fences.

Shall break into.

Owner shall be liable.

Shall make return.