

CHAPTER 117.

AN ACT to repeal chapter two hundred and sixty-seven of the acts of eighteen hundred and sixty-two, entitled "An act to add new sections to article five, of the Code of Public Local Laws for Calvert county, for the settlement of disputes growing out of joint division fences, and the trespassing of stock in said county," and to re-enact the same with amendments.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That chapter two hundred and sixty-seven of the acts of eighteen hundred and sixty-two, entitled "An act to add new sections to article five of the Code of Public Local Laws for Calvert county, for the settlement of disputes growing out of joint division fences, and the trespassing of stock in said county," be and the same is hereby repealed and re-enacted as follows :

Repealed and re-enacted.

SECTION 1. *And be it enacted,* That all owners or proprietors of lands in Calvert county who may have such lands lying contiguous to or adjoining other lands belonging to different owners or proprietors, shall make and keep in repair division fences, to bound and enclose said lands at their joint expense, unless said lands are not cultivated and have been used as general outlets or commons.

Division fences.

SEC. 2. *And be it enacted,* That all such joint division fences shall be substantially built, and if made of iron, wire, stone, hedge, post and rail or plank, shall be four and a half feet high, but if made of cap and stakes, or stake and rider, commonly called worm fences, said fences shall be five feet high.

Four and a half.

SEC. 3. *And be it enacted,* That if either party, his tenant, overseer, or other representative, shall refuse or neglect to make or keep