grounds kept for enclosure in Dames' Quarter District, in Somerset county, shall be fenced with posts and rails, 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 distance 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; but if built of wire, it shall be four feet high, the bottom wire to not 'exceed eight inches from the ground, and the second wire from bottom shall not exceed ten inches, and remainder to be fifteen inches apart; and if any live stock of any kind or description whatever, shall break into any person's 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 enclosure as shall be found, and awarded, by two or more judicious persons, to be appointed by a Justice of the Peace of the said district where the enclosure so trespassed upon shall be located, which said person shall view the place after having been sworn to value and assess the damages truly as they shall to them appear; 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 collections 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 damages, at the instance of either the plaintiff or defendant, it shall be the duty of the said Justice of the Peace to issue a *subpœna* for such witnesses as either plaintiff or defendant may require; provided,

Fines.

Damages.