

CHAP. 81. as directors until the next annual meeting of the stockholders in November ensuing.

Not to establish a banking institution

7. *And be it further enacted*, That nothing herein contained shall be taken or construed so as to authorise the said company to establish a banking institution, or any thing in the nature of a banking institution.

Legislature not prohibited from imposing a tax on capital

8. *And be it enacted*, That nothing herein contained shall be construed to restrict the right of the legislature to impose, from time to time, and at all times during the continuance of this act, and to levy and collect, such reasonable tax upon the capital stock, or estate of this corporation, as may comport with a general system of taxation upon monied institutions.

Duration

9. *And be it enacted*, That this act shall continue in force until the expiration of the year eighteen hundred and forty-five, and until the end of the next general assembly which shall happen thereafter.

CHAP. LXXXII.

An Act regulating Fences in Charles and Allegany Counties.

Passed Feb 19, 1827

Height and quantity of fences prescribed

1. *Be it enacted by the General Assembly of Maryland*, That from and after the first day of June next, corn-fields, and all grounds kept for enclosures, in Charles and Allegany counties, shall be fenced with a post and rail fence, or worm fence well staked and ridged, made of good and substantial rails, at least four feet and a half high from the ground to the top of the upper rail; and all worm fences not staked and ridged, shall be at least five feet high from the ground to the top of the upper rail, and the first or under rail, either in post and rail or worm fences, shall not exceed five inches from the ground, or embankment or stone wall, as the case may be, on which the same is or shall be built; and the width between the rails composing the fence, shall be such as is usual in the construction of good post and rail, or worm fence; and all fences made of stone exclusively, and hedges of thorn close set, shall be at least four feet and a half high from the ground to the top thereof; and all brush fences made upon the surface of the ground, to be at least four feet six inches high; and all brush fences made upon an embankment, to be at least three feet high, provided the embankment be eighteen inches high, and provided that nothing in this act contained shall be so construed as to extend to other than outside fences, or fences between different proprietors; and if any horses, horned cattle, sheep or hogs, shall break into any person's enclosure, the same being of the height and sufficiency aforesaid, then the owner or owners of such horses, cattle, hogs and sheep, shall be liable to make good all such damages to the owner of such enclosure, as shall be found and awarded by two respectable landholders, who may view the same, under their oath, or affirmation, made before some justice of the peace in said county; the said damages to be recovered in the same manner that is or shall be prescribed by law for the recovery of debts.

Persons joining fences

2. *And be it enacted*, That whenever any person or persons have joined, or shall join fences, for their mutual benefit and advantage, it shall be obligatory on each of the parties to keep