

thereof before a justice of the peace, the justice may, under his hand and seal, authorize the party aggrieved to repair the fence, and for so doing he shall be reimbursed all costs and reasonable expenses necessarily incurred, to be recovered from the party so refusing and delaying in the manner debts of a like amount are recoverable, and shall have a lien on the adjacent arable land or farm of the person who shall have refused or delayed to make and repair the fence, so as to secure the reimbursement of the costs and expenses of such making and repairing, in the event of the transfer of the land; provided the proceedings to enforce such lien be commenced by the party, or his representative, within two years next after such repair shall have been done. Proviso.

SEC. 3. *Be it enacted by the General Assembly of Maryland,* That if joint fences are not made and kept in repair according to the provisions of section one of this act, the party aggrieved or likely to be injured, instead of pursuing the remedy prescribed in the preceding section, may discontinue the said fence upon giving three months' notice, in writing, to the party refusing or delaying, his agent or tenant, and in all other cases (unless by mutual consent) twelve months' notice shall be required to discontinue any joint fence. May discontinue.

SEC. 4. *Be it enacted,* That this act shall take effect from the date of its passage. Effective.

Approved April 4, 1888.

Chapter 388.

AN ACT to add a new section to article fifty-nine of the Code of Public General Laws, title "Mandamus."

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That the following section be and it is hereby added to article fifty-nine of the Additional section.