

wires thereof shall not be more than seven inches apart to the height of twenty inches, from the ground or embankment of which said fences may be placed.

SEC. 2. *Be it enacted*, That if either of the parties, so making or keeping a joint fence, shall not comply with the provisions of the preceding section, and shall refuse or delay to make or repair the said fence, within thirty days after notice in writing, shall be given to him or his agent, overseer or tenant, upon proof thereof, before a Justice of the Peace, the said Justice may, under his hand and seal, authorize the party aggrieved by such refusal or delay, to make or repair the said fence as above required and for so doing he shall be reimbursed the proper proportion of all costs and reasonable expenses necessarily incurred, to be recovered from the party so delaying or refusing, in the same manner as debts of like amount are recoverable.

SEC. 3. *Be it enacted*, That if joint fences are not made and kept in repair according to the provisions of the first section of this Act, the party aggrieved, instead of pursuing the remedy prescribed in the preceding Section, may discontinue said fence by giving three months' notice in writing to the party refusing or delaying to make or repair the same, or his tenant, overseer or agent; in all other cases unless by mutual consent, twelve months' notice shall be required to discontinue any joint fences.

SEC. 4. *Be it enacted*, That on any line of land of adjoining owners where there has been no fence either of said owners, upon giving notice to the adjoining owner as provided in Section 2 of this Act, and upon the refusal or delay of said adjoining owner to build said fence, the party giving said notice is hereby authorized to build said fence, and recover all proportionate costs and reasonable expenses incurred in building same from the owner so in default according to the provisions and in the manner prescribed by Section 2 of this Act.

SEC. 5. *And be it enacted*, That all Acts or Sections of Acts, inconsistent herewith, be and the same are hereby repealed.

SEC. 6. *And be it further enacted*, That this Act shall take effect from June 1st, 1916.

Approved April 11th, 1916.