

ments they may direct, and when so assembled they shall have power from time to time to appoint a president, treasurer and secretary, and to do all and every other thing or matter necessary for the government and discipline of the said institution and management of its affairs. CHAP. 100.

Sec. 6. *And be it enacted*, That any five or more of the said trustees shall be, and are hereby declared to be, a quorum, and are hereby empowered to meet from time to time in said academy or school, or any other place in the neighbourhood of the said seminary, previously designated by the said trustees at their last meeting, and when so assembled may, in the absence of the other trustees who do not attend, do any act, matter or thing, which the whole number of trustees, or a quorum of them, might do, were they present or attending, any thing or any law to the contrary notwithstanding.

Any five trustees a quorum empowered to transact business

CHAP. CI.

A Further Supplement to an act regulating Fences in Charles and Allegany Counties, passed at December Session eighteen hundred and twenty-six, chapter eighty-two. Passed Mar 3, 1827

Sec. 1. *Be it enacted by the General Assembly of Maryland*, That no action of trespass, *quare clausum fregit*, hereafter commenced, shall be adjudged to be maintained or supported by evidence, that any defendant in such action, or any horse, cow, hog, or other domestic animal, belonging to such defendant, passed on or over any waste or uninclosed land in Charles and Kent counties, or by proof that any such animal trod down or eat the grass or herbage, or rooted up or disturbed the soil or earth, on any such waste or uninclosed lands, and the defendants in any such action may plead the general issue, and give this act and the special matter in evidence.

No action of trespass, &c hereafter commenced shall be adjudged to be maintained by evidence, &c

Sec. 2. *And be it enacted*, That it shall not be lawful for any person to distrain any horse, hog, or other beast, damage feasant, upon any waste or uninclosed land in Charles and Kent counties.

Not lawful for persons to distrain any horse, &c

Sec. 3. *And be it enacted*, That partition fences between the adjoining fields of different proprietors, shall be made and repaired by the parties respectively, owning or occupying the fields, at their joint and equal expense, and upon failure of either party to make or repair his or her respective proportion of such fence, or to pay his equal share of the cost thereof, the party so failing or neglecting shall be answerable for his proportion of the cost of making or repairing such fence, to the other, in an action of debt, to be recovered before a justice of the peace in the manner prescribed for the recovery of small debts out of court; *Provided*, Partition fences

Proviso