

fenced with planks, rails, logs or barbed wire of not less than five strands, with sufficient posts; said fence to be at least four feet high from the ground to the top of the upper plank, rail, log or wire on level ground, and three feet high on embankments, said embankments to be not less than twelve inches high; and the space between the said planks, rails, or logs, from the ground, for two feet, shall not exceed four inches; from thence upwards not to exceed six inches; and if any livestock of any kind and description whatsoever shall break into any person's enclosure, the same being of the height and sufficiency aforesaid, then the owner or owners of said livestock shall be liable to make good all such damages to the owner or owners of such enclosure as shall be found and awarded by two or more judicious persons to be appointed by a justice of the peace for said county; the said persons to view the same under oath and make return before the justice of the peace before whom they were appointed, and the said damages to be recovered in the same manner that is or shall be provided by law for the recovery of small debts; provided, nevertheless, upon the trial before any justice of the peace for damages, at the instance of either party, it shall be the duty of said justice of the peace to issue a subpoena for witness as either plaintiff or defendant may require.

2. Whenever joint fences have or may be established in said part of Hooper's Island, lying between the ferry or narrows and the thoroughfare in district number six of Dorchester County, for the mutual benefit or advantage of different owners or persons of adjoining lands, it shall be the duty of each party to keep up in good repair, his, her or their just and respective proportion thereof, in manner following, that is to say: All plank, rail, log and barbed wire fences shall be of the heights above prescribed, the height in every case to be computed from the ground or bank, if any embankment, upon which said fence is or may be placed.

SEC. 2. *And be it further enacted,* That this Act shall take effect June 1, 1922.

Approved April 13th, 1922.

CHAPTER 137.

AN ACT to amend Article XI of the Code of Public Local Laws of Maryland, title "Frederick County," sub-title "Em-