

the said sum of _____ should not be levied on CHAP. 135.
 the said building for the use of the said
 according to the form and effect of the act of Assembly in
 such case made and provided, if to them it shall seem ex- Made valid.
 pedient and have you then and there this writ—Witness
 and so forth—

SEC. 4. *And be it enacted*, That all precepts heretofore
 issued under and in virtue of the provisions of the original
 act, be and the same are hereby made valid.

CHAPTER 135.

An act entitled, an act to regulate the height of fences in the Passed Feb.
Frostburg Election District of Allegany County, and for 21, 1843.
other purposes.

SECTION 1. *Be it enacted by the General Assembly of* Fence four
Maryland, That it shall not be lawful for any person or feet high.
 persons, within the limits of the Frostburg election district
 of Allegany county, to impound any horned or black cat-
 tle, sheep or hogs, unless the same shall be found trespass-
 ing within any field or yard, or garden, which shall be in-
 closed with a good and substantial fence at least four feet
 high.

SEC. 2. *And be it enacted*, That if any person or per- Damages, &c.
 sons within the limits of the said Frostburg election dis-
 trict shall dog, beat, bruise, or in any manner injure any
 horned or black cattle, sheep or hogs, the owner or tenant
 of the property on which said horned or black cattle, sheep
 or hogs shall be so injured, shall be liable in an action of
 damages for the injury so inflicted, to the full amount of
 the value of the stock so injured as aforesaid, the same to
 be appraised by two disinterested persons, one of whom
 shall be chosen by each party, the said damages to be re-
 covered before any justice of the peace in and for Allegany
 county, in the same manner as small debts out of court are
 now collected.

SEC. 3. *And be it enacted*, That if either party shall ne- Justices to
 glect or refuse, during the space of five days after notice appoint an ap-
 of such injury, to or impounding of such horned or black praiser.
 cattle, sheep or hogs, then the justices of the peace to
 whom complaint shall be made by the party aggrieved,
 shall have authority to appoint an appraiser for and on be-
 half of the party so neglecting or refusing.