

CHAPTER 123.

CHAP. 124.

An act relating to Partition Fences, in Somerset County. Passed Mar. 13, 1840.

Be it enacted by the General Assembly of Maryland, That partition fences between the adjoining fields of different proprietors, now existing or which may hereafter be established by mutual consent in Somerset county, 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 and keep in good order his or her respective proportion of such fence, or to pay his equal share of the costs 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*, that no person shall be answerable unless the said fences shall be constructed out of the usual materials and in the ordinary way that fences are constructed in the said county; *provided also*, the party before he or she shall proceed to repair any such partition fence, shall give at least thirty days notice of such repair being necessary, and his or her intention to proceed to do the same, then in that case the party so neglecting shall be subject to the provisions of this act.

Expense of repairing partition fences, to be paid jointly

In case of failure

Provisoes

CHAPTER 124.

A further supplement to an act, entitled an act regulating damages in cases of Suits for Trespass done by Stock, so far as relates to Baltimore County. Passed Mar. 13, 1840.

Be it enacted by the General Assembly of Maryland, That the act to which this is a supplement, shall be construed to be applicable to Baltimore county only, and not to any other county in the State.

To be construed to apply to Baltimore county