

CHAP. 241.

Passed Mar.
4, 1846

A further supplement to an act to prevent the destruction of Oysters in the waters of this State, passed at December session, eighteen hundred and thirty-three, chapter two hundred and fifty-four.

Not to catch
oysters with
scoops, &c.

Be it enacted by the General Assembly of Maryland, That it shall not be lawful to take or catch oysters in Sinepuxent bay, or any of the waters thereof, with scoops, drags or any other instruments whatsoever, at any time between the thirtieth day of April, and the first day of September in any year, and any person or persons, whether citizens of this State or others, offending against the provisions of this act, shall be liable to the penalties imposed by the third section of the act, passed at December session, eighteen hundred and thirty-seven, chapter three hundred and ten, and shall be proceeded against in the manner prescribed in the original act to which this is a further supplement, for offences against the first section of said act.

CHAPTER 241.

Passed Mar.
4, 1846.

An act for the regulation of Partition Fences in Worcester County.

Partition fences
made and
repaired.

Be it enacted by the General Assembly of Maryland, That partition fences between the adjoining fields of different proprietors now existing, or which hereafter may be established by mutual consent, in Worcester 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 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 recovering 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

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