

Maryland October 3<sup>d</sup> 1704  
On behalf of her Majesty the Duke of Albemarle

Jo: Seymour

Great  
Seal of  
Maryland

*[Large decorative flourish]*

An Act concerning the Heights of Fences  
To prevent the Evils occasioned by the Multitude of Horses  
and restraining Horse Dangers within this Province.

Be it Enacted by the Queens most excellent Majesty by and  
with the Advice and Consent of her Majestys Governour Council and  
Assembly of this Province and the Authority of the same that all Inclosures  
by Fences or otherwise within the Intention of this Act hereafter mentioned  
shall be five foot high And that from and after the first day of May  
next till the tenth day of November next and so yearly and every  
year all Owners of any Horses Horses Mares Colts and Geldings shall and  
are hereby obliged to keep all such Horses or Horses Mares Colts  
Geldings within good sufficient Inclosures fenced Grounds or pastures  
upon the pains and penalties hereafter following

*[Marginal notes:]*  
This Act passed  
in the 3<sup>d</sup> year of the  
said Queens Majesty  
the 17<sup>th</sup> of October  
1704  
Another Law  
of the same kind  
passed in 1716  
the 1<sup>st</sup> of June

And be it further Enacted by the Authority aforesaid by  
and with the Advice and Consent aforesaid that if the Owner or Owners  
of any such Horses or Horses Mares Colts or Geldings as aforesaid shall omit  
to take up drive in and keep up all such Horses Mares Colts or Geldings  
as are before mentioned, or intended by default whereof any such Horses  
Mares Colts or Geldings shall break into the pastures Cornfields or other  
Inclosures of any Inhabitant within this Province within the time by  
this Act limited aforesaid the said Owner or Owners thereof having notice  
or learning thereof given him or them two severall times by the party  
grieved and notwithstanding the Owner or Owners of such Horses  
Mares Colts or Geldings as aforesaid shall neglect to perform what is by this  
Law enjoyned and required that then it shall and may be lawfull for the person

(Signed)