

notice shall have been given him by the person aggrieved, the person so aggrieved may apply to a justice of the peace of the county, who shall upon proof of the notice aforesaid appoint two respectable freeholders living near, and not related to the parties, whose duty it shall be to examine said fence and fix the amount necessary to make or repair the one-half thereof.

94. The said freeholders, in case they differ in opinion, shall appoint a third person as umpire, and they, or the said umpire, if they cannot agree, shall make out their or his award under their hands and seals, or his hand and seal, verified by affidavit, and deliver a copy of the same to the said justice of the peace, and to each party interested, within five days after making the same.

95. If the party owning that part of the fence required to be made or repaired by the decision of the freeholders, shall fail to make or repair the same within thirty days after the service of said award, it shall be lawful for the party whose portion of the fence is in good order, to repair or make said fence at an expense not exceeding that fixed by the award.

96. As soon as the fence or fences shall be so made or repaired, and so certified by the freeholders aforesaid, or any one of them, then such person shall be entitled to recover from the party neglecting or refusing as aforesaid the amount expended in the same manner as other debts.

97. If any person shall fail to make or keep in repair his part of said division fence or fences as hereinbefore directed, and shall maim, kill, or otherwise injure any description of stock found on his enclosures, he shall upon conviction pay to the owner thereof the full value of such stock, with costs of suit.

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98. It shall not be lawful for any person to use in the rivers or waters of Anne Arundel county, any seines or nets the meshes of which shall be less than one inch and a quarter square, except such seines or nets as do not exceed ten fathoms in length.