

ary fences in the district aforesaid, and not to any person's internal fences upon his own property.

SEC. 2. *And be it enacted*, That whenever joint fences have been, or hereafter may be established in said election district for the mutual benefit or advantage of different owners or possessors of adjoining lands, it shall be the duty of each party to keep up in good repair his, her or their just and respective proportion thereof in manner following, that is to say, all post and rail or plank fence shall be of the heights above prescribed, the height in every case to be computed from the ground or bank, if any embankment upon which said fence is or may be placed.

Keep in good repair.

SEC. 3. *And be it enacted*, That if either of the parties so making or keeping a joint fence shall not comply with the foregoing provisions, and shall refuse or delay to make or repair the said fence within twenty days after notice in writing shall be given to said party, his agent, overseer or tenant, then, upon proof before a justice of the peace, it shall be lawful for the said justice of the peace, under his hand and seal, to authorize the party aggrieved and suffering by such refusal or delay, to make or repair the said fence as above required, and for so doing he, she or they shall be reimbursed all costs and reasonable expenses necessarily incurred, to be recovered from the party so refusing or delaying, in the same manner as debts of a like amount are now recoverable.

Reimburse.

SEC. 4. *And be it enacted*, That in case joint fences are not made and kept in repair according to the provisions of this act, it shall also be lawful for the party aggrieved, or likely to be injured, instead of pursuing the remedy above allowed, to discontinue the said fence by giving three months' notice in manner aforesaid, and in all other cases (unless by mutual consent) twelve months' notice shall be required to discontinue any joint fence.

Discontinue fence.

SEC. 5. *And be it enacted*, That whenever any person or persons shall, under and by virtue of this