

APPENDIX.

EXTRACT FROM THE "TRESPASS ACT AMENDMENT ACT, 1919."

3. (1.) A lawful fence for the purpose of dividing the right-of-way, grounds, or property of a railway company to which the "British Columbia Railway Act" applies from any other land, whether belonging to the railway company or not, or for the purpose of protecting any stack of hay or grain, means a fence substantially constructed from the ground to a height of at least four feet six inches, and consisting:—

- (a.) Of earth, stone, brick, concrete, or iron; or
- (b.) Of logs, rails, boards, or bars of wood or iron, laid horizontally one above the other not more than six inches apart up to a height of three feet from the ground, and not more than twelve inches apart above that height; the bottom of the lowest log, rail, board, or bar being at any point not more than six inches from the ground; or
- (c.) Of upright posts, boards, palings, or pickets not more than four inches apart; or
- (d.) Of wire of a standard gauge not less than No. 9 or of barbed wire not less than No. 12 gauge, secured to posts not more than twenty feet apart, the lowest wire being at any point not more than six inches from the ground, the wires being not more than six inches apart up to a height of three feet from the ground, and not more than twelve inches apart above that height, being interlaced with cross-wiring or fastened to wooden droppers or poles placed at regular intervals of not more than four feet; or
- (e.) Of woven standard-gauge wire fencing secured to posts not more than twenty-four feet apart, with the lowest wire not more than six inches above the ground, the top and bottom wires to be not less than No. 9 gauge, and intervening wires not less than No. 12 gauge; or
- (f.) Of a combination of the materials specified in any two or more of the foregoing clauses (a) to (e); but where any combination includes wire or barbed wire the provisions of clause (d) as to cross-wiring, droppers, or poles shall be observed.

(2.) For the purpose of protecting any stack of hay or grain by any fence specified in subsection (1), the distance shall not be less than ten feet from the nearest point of the fence to such stack.

(3.) In all cases other than those provided for in subsection (1) a lawful fence means a fence substantially constructed from the ground to height of at least four feet six inches, and consisting:—

- (a.) Of earth, stone, brick, concrete, or iron; or
- (b.) Of logs, rails, boards, or bars of wood or iron, laid horizontally one above the other not more than nine inches apart up to a height of thirty-two inches from the ground, and not more than eleven inches apart above that height; the bottom of the lowest log, rail, board, or bar being at any point not more than fourteen inches from the ground; or
- (c.) Of upright posts, boards, palings, or pickets not more than four inches apart; or
- (d.) Of wire of a standard gauge not less than No. 9, secured to posts not more than twenty-four feet apart, the lowest wire being at any point not more than fourteen inches from the ground, the wires being not more than nine inches apart up to a height of thirty-two inches from the ground, and