

The other acts on this subject are 1811, ch. 169; 1813, ch. 91; 1819, ch. 175; 1821, ch. 209; 1822, ch. 214; 1823, ch. 81, 109; 1825, ch. 140; 1826, ch. 96; 1828, ch. 128; 1831, ch. 232; 1832, ch. 264; 1833, ch. 226; 1834, ch. 311; 1835, ch. 337; 1837, ch. 291.

WHEREAS it is found by experience that large quantities of young fish, unfit for use, have been for many years past killed and destroyed by wears, dams, pots and other devices, formed and erected in the rivers of Susquehanna and Patuxent, for the taking of fish, whereby great quantities of fish, which were formerly to be found and taken in said rivers, and other rivers in this province, are much diminished, to the great damage and injury of the public; for remedy whereof,

SEC. 2. *Be it enacted, by the right honourable, the Lord Proprietary, by and with the advice and consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same,* That if any person or persons whatsoever, from and after the end of this session of assembly, shall build, set up, repair or maintain, or shall be aiding, assisting or abetting, in building, setting up, repairing or maintaining, any such wears, fishing dams, pots, or any other devices whatsoever, for the taking of fish within the rivers aforesaid, by which the fish may be obstructed from going up or coming down the said rivers, or shall take or destroy any kind of fish whatsoever, in any such wear, fishing dam, pot, or other device aforesaid, every such person or persons, so offending, contrary to the true intent and meaning of this act, being legally convicted thereof by the oath of one or more credible witness or witnesses, or by his or their confession, shall forfeit and pay the sum of twenty pounds current money for every such offence, one moiety of which sum, so forfeited, to be paid to the informer or prosecutor, and the other moiety thereof to be paid to the sheriff of the county where the recovery shall be had, to be by him paid and accounted for to the justices of the several county courts respectively, and by them applied towards clearing the navigation of the said rivers, to be recovered by action of debt, bill, plaint or information, with full costs of suit, in any county court of this province where such offender shall be apprehended or reside.

Preamble.

Persons not to build or repair wears, &c.

See 1822, ch. 214.

SEC. 3. *And be it enacted, by the authority, advice and consent aforesaid,* That it shall and may be lawful to and for any person or persons whatsoever to break, throw down, remove and destroy, all or any such wear or wears, fishing dam, pot or other device, built or set up, or to be built or set up, in the aforesaid rivers, for catching of fish as aforesaid.

They may be destroyed.

SEC. 4. *And be it further enacted, by the authority, advice and consent aforesaid,* That if any person or persons shall be sued or impleaded for breaking, throwing down, removing or destroying, any such wear or wears, fishing dam, pot or other

General issue pleadable.