

Treasurer
of original
act abolish-
ed.

Payment
over di-
rected.

SEC. 9. *And be it enacted,* That the office of treasurer, created by the original act to which this is a supplement, be, and the same is hereby abolished, and the said treasurer is hereby required to pay over to said commissioners any sum or sums of money now in his hands, to be deposited in the Bank of Salisbury as aforesaid, subject to the order of the said commissioners.

SEINES.

AN ACT to prevent persons from staking out Seines across the River Wicomico, in Somerset County.—1808, ch. 78.

Penalty for
staking out
seines, &c.

SEC. 1. *Be it enacted, by the General Assembly of Maryland,* That if any person or persons, after the passage of this act, shall stake out or fix any seine or seines across the river Wicomico, in Somerset county, or aid and assist therein, by which fish may be obstructed in going up or coming down said river, every such person or persons, so offending, shall forfeit and pay the sum of twenty dollars for every such offence, one-half of which sum shall be given to the informer, and the other half 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 levy court of said county, and by them applied towards defraying the public charges of said county, to be recovered by action of debt, bill, plaint or information, with full costs of suit, in any county court of this state where such offender or offenders shall be apprehended or reside.

And on
slaves of-
fending, &c.

SEC. 2. *And be it enacted,* That if any slave shall fix any seine or seines across said river, by which fish may be obstructed as aforesaid, such slave shall be punished for such offence, on conviction thereof before any justice of the peace, by the oath of one or more credible witness or witnesses, by whipping on his back, in the discretion of the said justice, not exceeding for each offence, the number of thirty-nine lashes; *Provided always,* that the master or mistress of said slave, or any other person, may release said slave, so convicted, on payment of thirty dollars, one-half to the informer, and the other half to be paid to the justice, and by him applied as hereafter directed; *And provided further,* that if such slave shall act as aforesaid by the order of his owner or employer, he shall not be subject to whipping as aforesaid, but the owner or employer giving him the order shall be subject to the penalty of twenty dollars.

Proviso.

Seines so
staked may
be destroy-
ed.

SEC. 3. *And be it enacted,* That it shall and may be lawful for any person or persons whatsoever, to destroy or remove any seine or seines staked or fixed across said river to obstruct the passage of fish as aforesaid.

General
issue plead-
able.

SEC. 4. *And be it enacted,* That if any person shall be sued or pleaded for destroying any such seine or seines fixed across said river contrary to the true intent and meaning of this act, it shall and may be lawful for such person or persons