

100. Whenever any person shall, under and by virtue of this law or any law of this State, be summoned or called upon to value and assess the damage done upon any enclosed land in said county by the trespassing of live stock of any kind and description whatever, they shall inspect and examine into the state and condition of the enclosure of the land upon which the said trespass or damages shall be alleged to have been done or committed, and if the enclosures shall not be good and sufficient according to the provisions of section 97 of this article, they shall not assess any damages whatever.

101. In all actions and suits to recover damages for trespass upon lands in said county, by any kind of live stock, the defendant may plead the general issue and give the special matter in evidence, and the plaintiff shall be non-suited whenever it shall be clearly proven that the lands whereon the trespass shall be alleged to be done or committed were not enclosed according to the provisions of section 97 of this article.

FISH.

102. It shall not be lawful for any person to whip or beat the water in the Antietam Creek or its tributary streams, Bear Creek, Long Meadow Branch and Little Antietam, as far up those streams as the first mill dams from the Antietam, with poles, sticks or other things, for the purpose of driving the fish into nets, seines, fish baskets, or other snare, or to erect any fish pot, or fish with any net, basket, gig, trot lines, or in any other manner, except with the angling rod, from the first day of March to the fifteenth day of June in each year.

103. Any person offending against the provisions of the last preceding section, shall forfeit and pay for each offence and for every month a fish pot is suffered to remain, the sum of ten dollars, to be recovered in the name of the county commissioners of said county before a justice of the peace, one-half to the informer, the other half to the school fund of said county.

104. Any slave who shall offend against any of the provisions of section 102 of this article, shall, on conviction thereof before any justice of the peace, be punished by whipping on his bare back, in the discretion of the justice, not exceeding ten lashes for each offence; but the master or any other person may redeem a slave so convicted by the payment of ten dollars for the