

CHAP. CLIII.

CHAP. 153.

An Act to prohibit the obstruction of the navigation in Worcester and Somerset Counties. Lib. TH. No. 6, fol. 362.

Passed Feb 10 1818

1. BE IT ENACTED, by the General Assembly of Maryland. That from and after the first day of May next, it shall not be lawful to unload and throw out the ballast of any boat, or vessel, in the navigable rivers and creeks in Worcester or Somerset counties, or to make or keep any wears or hedges in said rivers and creeks, so as thereby the navigation thereof may be obstructed or injured.

Not lawful to unload ballast or erect wears to obstruct navigation.

2. AND BE IT ENACTED, That every person who shall after the said first day of May next, be found guilty of throwing out the ballast of any boat or vessel, in any of the navigable rivers or creeks in Worcester and Somerset counties, in such manner as may obstruct or tend to injure the navigation thereof, or prevent boats and vessels from lying along side of the wharfs, or who shall be found keeping or making any wears or hedges in the channels of said rivers or creeks, so as to obstruct the navigation, or who shall in any manner be found throwing stones, shells, gravel, or other things, into said rivers and creeks, so that the navigation may be obstructed or injured, contrary to the true intent and meaning of this act, every person so offending shall forfeit and pay a sum, at the discretion of a justice of the peace, not exceeding fifty dollars for every such offence, one half to be given to the informer, and the other half to be paid to the levy courts of the county where the offence was committed, to be by them applied to the use of the county.

Penalty for so doing.

3. AND BE IT ENACTED, That all fines and forfeitures incurred under this act, shall be recovered in the name of the state before a justice of the peace, in the same manner that small debts are recoverable, unless such fine shall exceed fifty dollars.

Fines, how to be recovered.

4. AND BE IT ENACTED, That it shall be the duty of every justice of the peace in said counties, whenever he shall have knowledge, or shall be credibly informed, of any violation of this act, to issue a warrant in the name of the state against the offender or person charged, directed to some constable, and on the return of such warrant, and the appearance of the person charged, any justice of the peace in said counties may hear and determine the matter as he may deem just and right, and may enter judgment for any fine, with costs, and issue execution for the same.

Justice to issue warrant for, and determine violations of this act.

5. AND BE IT ENACTED, That any justice of the peace may receive any fine and costs which he hath laid in pursuance of this act, and he shall account for the same to the levy court of the county within six months thereafter, under the penalty of two hundred dollars, except the costs, and such part thereof, as the informer may be entitled to, which costs, and part of such fine, shall be paid to the persons entitled thereto.

Justice to receive fines, and account to levy court for the same.

6. AND BE IT ENACTED, That no informer shall be entitled to any part of any fine unless the offence charged shall have been proved by a disinterested witness, but in such case the whole fine shall be paid to the levy court for the use of the county.

Informer not entitled to any part of fine, unless so.

7. AND BE IT ENACTED, That it shall be the duty of all persons owning, commanding, or having charge of any boat or vessel, while such boat or vessel may be in either of said counties, to charge and command all persons belonging to, or engaged in the

Commanders of vessels to be careful in unloading ballast.