

CHAP 112. and in such case it shall be the duty of the other commissioners to give public notice to the free male inhabitants of said village, above the age of twenty-one years, and having resided in said village one year next preceding such notice, to meet at the court-house in said village, on a day to be by them appointed in such notice, to elect, by ballot, one or more person or persons, as the case may require, resident of said village, above the age of twenty-one years, and owner or owners of real property therein, to fill such vacancy or vacancies, as the case may be, so as aforesaid made, and the person or persons, as the case may be, who shall appear to have a majority of votes, shall be declared duly elected to fill such vacancy or vacancies, as the case may require; and all vacancies hereafter in anywise made among the said commissioners of the village of Denton, shall be filled in the same manner as above directed.

If suit commenced against any person for any thing done in virtue of this act, general issue may be pleaded.

12. **AND BE IT ENACTED,** That if any suit or action shall be commenced against any person or persons for any thing done in pursuance of this act, or the acts to which this is an additional supplement, such person or persons may plead the general issue, and give this act in evidence, any law, usage or custom, to the contrary notwithstanding.

Part of an act repealed.

13. **AND BE IT ENACTED,** That all and every part of the original act, or any supplement thereto, as is contrary to, or inconsistent with, the provisions of this act, be and the same are hereby repealed.

CHAP. CXIV.

Passed Jan 20 1808

An Act to prevent the anchoring of Vessels in the Fisheries in Susquehanna River, and at the head of the Chesapeake Bay. Lib. TH. No. 1. fol. 430.

Preamble.

WHEREAS it is represented to this general assembly, that the owners of fisheries situated in the river Susquehanna, and at the head of the Chesapeake Bay, labour under great inconveniencies, and suffer many losses, from vessels anchoring in their fisheries, and sailing through their seines during the fishing season; therefore,

Penalty for anchoring vessels in any fishery, &c.

2. **BE IT ENACTED,** by the General Assembly of Maryland, That if any vessel, unless compelled so to do by stress of weather, or other unavoidable accidents, shall be anchored in any fishery on the river Susquehanna, or at the head of the Chesapeake Bay, at any time between the first day of April and the twentieth day of May, in any year, and remain thus anchored for the space of half an hour when the weather will admit of the departure of such vessel, after being ordered to depart therefrom by the owner or owners of such fishery, the skipper, or other person or persons commanding such vessel, shall forfeit and pay the sum of twenty dollars for every such offence, and a further sum of five dollars for every hour such vessel shall remain thus anchored as aforesaid.

Or wantonly sailing through a sein.

3. **AND BE IT ENACTED,** That if any vessel shall be wittingly, and wantonly or maliciously, sailed through a sein extended in any of the said fisheries, the skipper, or other person commanding such vessel, shall forfeit and pay the sum of twenty dollars for every such offence.

Fines, how to be recovered.

4. **AND BE IT ENACTED,** That all fines and forfeitures incurred under this act shall be recovered as small debts are recoverable, before a justice of the peace for the county wherein the offence may be committed, in the name and for the use of the state of Maryland.