

An. Code, sec. 82. 1904, sec. 82. 1902, ch. 358, sec. 78F. 1906, ch. 161. 1924, ch. 340, sec. 82.

**91.** No person shall place, throw or make use of in any waters of this State except bona fide engineering, milling or mining purposes, any dynamite or other explosive substance, or any lime, poison, acid; sawdust, shaving or other substance whatsoever deleterious to or destructive of fish life, under a penalty of not less than One Hundred Dollars (\$100) nor more than Three Hundred Dollars (\$300), or imprisonment in the penitentiary for not less than one year nor more than three years, or be both fined and imprisoned in the discretion of the Court; provided, however, that nothing in this section shall apply to sawmills now in operation until October 1st, 1903, unless said sawmill or mills shall in the meantime change its or their location; and further provided, that any sawmill or mills moving from its or their present location, shall be considered a new mill or mills, and shall be subject to the provisions of this section.

1924, ch. 340, sec. 82A.

**92.** Any person found guilty of violating any section or part or parts of sections of this Act unless the penalty is provided for in the section, shall be deemed guilty of a misdemeanor and upon conviction thereof before any Justice of the Peace of this State shall be fined not less than twenty-five dollars (\$25) nor more than One Hundred Dollars (\$100) for each and every offense, and shall stand committed to the County Jail or the Baltimore City Jail until such fine and costs are paid, that the fines recovered for any violation of this Act shall be paid over to the State Comptroller or the State Game and Fish Warden for account of the State Game and Fish Protection Fund to be used as provided by law.<sup>1</sup>

An. Code, sec. 82A. 1917, ch. 14.

**93.** Whenever any watercourse, well, spring, open ditch, gutter, cess-pool, sewer, private or public, drain, privy-pit, pig-pen, or other place, or any accumulation or deposit of waste or other offensive or noxious matters discharged from any house, building, trades establishment or manufacturing place, or any waste from any vessel, shall become or dangerously threaten to become deleterious to or destructive of fish or shellfish life, or the propagation, cultivation or conservation thereof, or to their safety as human food, or in any manner a menace to said fish or shellfish whether private or public property, in any waters of the State, the Conservation Commissioner of Maryland shall forthwith investigate the matter, and if it be so found shall serve a notice in writing on the person, firm or corporation, by whose act, default or sufferance such condition may arise or continue, requiring the abatement of the same within a time to be fixed by the Commissioner and to be specified in the notice, under a penalty of not less than one hundred dollars, nor more than three hundred dollars, or imprisonment for not less than one year nor more than three years, or be both fined and imprisoned, in the discretion of the Court. It shall be construed as a separate and distinct offense for each day the nuisance is

<sup>1</sup> Sec. 2 of ch. 340 of acts, 1924, repeals all general and local laws inconsistent with said ch. 340 to extent of such inconsistency.