

granted to any corporation by any special or general laws of this State, and in lieu of all and singular the liability imposed thereby or consequent therefrom, in or upon any dam where the same is not deemed by the Conservation Commission of Maryland to be practical or advisable for the ascending or descending of fish, or to permit the passage of fish from the waters below to the waters above any such dams, the said Conservation Commission is empowered to enter into an agreement with the owner, lessee or operator of such dam to pay to the Conservation Department of Maryland annually, or at other stated periods a sum of money which shall be not less than four and one-half per centum ($4\frac{1}{2}\%$) per annum upon the estimated cost of the erection of such fish ladder or ladders, except in such cases where the amount so calculated would be equal to or exceed the sum of four thousand dollars (\$4,000) per annum, then the annual payment shall in all such cases be four thousand dollars (\$4,000) per annum to be expended by the said Department for the purpose of stocking with food fish the waters of the pool above and of the stream below said dam, and for the purpose of propagating, rearing and distributing the fish actually placed in said waters, and the acquisition of the necessary facilities therefor. Any money received by the Conservation Department pursuant to such an agreement shall be paid into the Conservation Fund and is hereby specifically appropriated to be expended by the Conservation Commission for the purposes above named.

1929, ch. 471, sec. 14.

14. *Pollution Prohibited—Penalty.* Whenever any watercourse, well, spring, open ditch, gutter, cesspool, 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, trade 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 Commission 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 Commission and to be specified in the notice, under a penalty imposed by a Court 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 permitted to continue after the expiration of the time limit set forth in the notice for the abatement of such nuisance, provided, however, that nothing herein contained shall be deemed to alter, change, modify or restrict the jurisdiction of the State Board of