

meanor and shall pay upon conviction before a justice of the peace or court of competent jurisdiction, a fine equal to the damages ascertained as suffered by the owner or occupier of said fishery, and in addition thereto, the cost of prosecution; the amount of fine so imposed shall be paid to the owner or occupier of the fishery, and the vessel, float or boat shall be held as security for the payment of the fine.

1929, ch. 471, sec. 20.

20. *Obstruction to Fishery.* It shall be unlawful for any person to wilfully or maliciously put any stake, log, stone, ballast or other obstruction in the berth or haul of any fishery, subject to the penalties hereinafter provided.

1929, ch. 471, sec. 22.

21. *Riparian Rights.* The owner of any land bordering on any tidal waters of the tributaries of the Chesapeake Bay, except the waters of the Great Choptank River, lying in the State of Maryland, or anyone who is a tenant, renter or lessee of such owner, shall by virtue of such ownership or occupancy be first entitled to make a choice of the set or position to place nets or establish a haul seine fishery in front of the property of which he or she is the owner, tenant, renter or lessee of the riparian rights therein, for the purpose of catching fish for commercial use; provided that if such owner, tenant, renter or lessee of said riparian rights do not avail themselves of the privilege of locating the position where they desire to set their nets or haul seine each year within twenty days after receiving notice hereinafter provided from any other person who may desire to locate their nets or fishery in front of said riparian owner's property, then it shall be lawful for such person to locate or place their net or haul their seine in front of said property; except that the notice to the owner or occupier shall not apply to the waters of Baltimore, Cecil, Talbot, Caroline, Dorchester, Prince George's, St. Mary's and Charles Counties, where the permission of the shore owner shall always be necessary, nor shall anything herein contained be construed to grant any rights to fishermen by reason of such notice to fish upon any of the waters, nearer than 500 yards opposite any shore used as a pleasure resort so as to interfere with bathing or boating on such shore, without permission of the shore owner. The notice provided for above shall be mailed to the owner of the shore, or to the tenant, renter or lessee of such shore property. If the name and address are unknown, then such notice shall be posted for twenty days on a board fastened to a stake driven in the water directly in front of the property and at a distance not greater than 100 yards from shore. Nothing in this section shall be construed to permit any riparian owner or any one acquiring the rights of a riparian owner to fish with nets or seine in any manner or at any time prohibited in this Article. Provided that the provisions of this section shall not apply to Anne Arundel, Queen Anne's, Kent and Somerset Counties.

As to riparian rights in general, see art. 54, sec. 47, *et seq.*