

# ARTICLE 39.

## FISH AND FISHERIES.

### PART 1.

#### General Provisions.

1. Definitions.
2. Application of general and local laws.
3. Duties of conservation commissioner.
4. Duties of officers of conservation department.
- 5-7. Survey of Youghiogheny River and stocking with fish.
8. Arrest upon information.
9. Warrant for unknown offender.
10. Procedure upon seizure.
11. Condemnation and sale.
12. Disposition of fines and proceeds of property sold.
13. Jurisdiction of justices or court.
14. Appeal from judgments of justices of the peace.
15. Obstruction to passage of fish.
16. Fish ladders.
17. Pollution prohibited; penalty.
18. Dynamiting and poisoning streams; penalty.
19. Threshing streams.
20. Removal of fish without permission; penalty.
21. Anchored boats.
22. Vessels sailing through seines.
23. Obstruction to fishery.
24. Riparian rights.
25. Penalties.
26. Penalty for violating sec. 16.

### PART 2.

#### Tidal Waters.

27. Who may fish.
28. Method of fishing.

29. Regulation of nets and seines.
30. Purse or buck nets.

#### Further Regulations in County Waters.

31. Anne Arundel County.
32. Baltimore County.
33. Caroline County.
34. Carroll County.
35. Cecil County.
36. Charles County.
37. Charles and St. Mary's Counties.
38. Dorchester County.
39. Garrett County.
40. Harford County.
41. Kent County.
42. Queen Anne's County.
43. St. Mary's County.
44. Somerset County.
45. Talbot County.
46. Wicomico County.
47. Worcester County.

#### Nets and Seines.

48. Sizes of mesh.
49. Removal of stakes and nets.
50. Emptying seines.
51. Chesapeake Bay.
52. Head of bay.
53. Anchored gill nets.
54. Patuxent River.
55. Severn River.
56. Choptank River.
57. Wicomico River.

#### Sizes of Commercial Fish.

58. Sizes of fish.

#### Shad and Herring Season.

59. Shad and herring season.

The following decisions refer to the sections printed in dark type of art. 39 as it stood prior to the act of 1929, ch. 471:

**19.** This section referred to in discussing meaning of term "citizen"—see notes to art. 25, sec. 144. *Fitzwater v. Hydro-Elec. Corp.*, 149 Md. 466.

**68.** This section referred to in construing local law for Dorchester County giving riparian owners certain fishing rights; law constitutional. *Dean v. Slacum*, 149 Md. 581.

**89.** Compact of 1785 does not require concurrence of Virginia to render act of 1924, ch. 340, effective. Equity will not grant injunction to prevent violation of statute. *Middlekauff v. Le Compte*, 149 Md. 622.

As to the state fishery force, see art. 72, sec. 37, *et seq.*; also art. 72, sec. 75.

As to when fish are exempted from taxation, see art. 81, sec. 7.

Fishing on Susquehanna flats during ducking season, prohibited—art. 99, sec. 17.