

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.*

1929, ch. 471, sec. 23.

25. (Penalty.) Any person found guilty of violating any of the provisions of the preceding sections of this Article, with the exception of Section 16, unless the penalty is provided for in the section, shall be deemed guilty of a misdemeanor and upon conviction thereof before a justice of the peace qualified to try same or Court, shall be fined the sum of not less than \$25 nor more than \$100, and shall stand committed to the County Jail or the Baltimore City Jail until such fine and costs are paid; and all boats, nets, seines or other equipment used for the purpose of violating any of the above sections shall be declared forfeited, and the fines and forfeitures shall be disposed of as provided for in Section 12.

1929, ch. 471, sec. 24.

26. (Penalty for Section 16.) The Conservation Commission shall investigate each and every violation of Section 16, and if he finds that anyone is obstructing the streams by not making or keeping in repair said fish ladders upon said dams, he shall serve a notice in writing on the person by whose act, default or sufferance such condition may arise or continue, requiring the abatement of same within a time to be fixed by the Commission and to be specified in the notice, under a penalty of not less than \$100 nor more than \$300, or imprisonment for not less than one year nor more than three years, or to be both fined and imprisoned in the discretion of the Court. It shall be construed as a separate and distinct offense for each day such a condition is permitted to continue after the expiration of the time limit set forth in the notice.

PART 2.

Tidal Waters.

1929, ch. 471, sec. 25.

27. (Who May Fish.) It shall be unlawful for any person who is not a *bona fide* citizen or land owner of Maryland to fish in the tidal waters of this State with nets of any description. Nothing in the above shall be construed to permit such citizen to fish in any tributary waters beyond the jurisdictional limits of the county whereof he is a resident or land owner, except that residents or land owners of the counties bordering on a dividing river may fish such river in common, but not in any creek, cove, river, inlet or sound emptying into the said dividing river and lying wholly within a county other than the one of which he is a resident or land owner, except as provided for in Section 24, sub-title "Riparian Rights," except that a non-resident of one county may fish in the waters within the jurisdictional limits of another county after having first obtained the written permission of the abutting land-owner and providing further that the provisions of this section shall not apply to the catching of eels.