

FISH AND WILD FOWL.

1870, c. 231 entitled an act to protect fish and wild fowl in the waters of Queen Anne, Kent, Caroline and Harford counties, enacts as follows:

1 It shall not be lawful for any person or persons to lash or beat the waters within the limits of Queen Anne, Kent, Caroline and Harford counties, or which wash the shores of all or any two, or either of these counties, with rods, poles, sticks, or anything else, or to make noises on the deck of any boat, or on any part of any boat by the use of clogs or wooden shoes, or by any other instrument or means, or in any other manner for the purpose of driving fish into any seine, fish-basket, or any other contrivance for catching fish, nor for the purpose or which will have the effect of driving or frightening wild ducks or water fowls of any description from their feeding or roosting grounds in the water of said counties.

2. Any person violating any of the provisions of the preceding section, shall pay a fine of not less than ten nor more than one hundred dollars, and forfeit the boat, together with her tackle and apparel, and her seine and all other property on board of her at the time of her seizure.

3. On information given on oath to a justice of the peace of that county most adjacent to the waters in which it is claimed a violation of the first section of this law is being or has been committed, he shall issue his warrant for the arrest of the offender or offenders, and the seizure of the boat, together with all her tackle and apparel, and all other property on board and in their possession, which warrant shall be directed to the sheriff or some constable of said county, and the sheriff or such constable may summon the *posse comitatus* to aid him in making any arrest and seizure authorized by this act.

4. Upon the arrest of the offenders, they shall be taken before a justice of the peace of that one of the aforesaid counties most adjacent to the waters in which the offence has been committed, and tried, and if found guilty, shall pay a fine of not less than ten nor more than one hundred dollars, to be recovered as other small debts are now recovered, and the said justice shall condemn all property seized by the officers making the arrest, which shall appear in proof to have been in the possession of the parties found guilty, or used by them in violation of the first section of this act, and adjudge and decree the same to be sold.

5. The property so as aforesaid condemned, shall be sold by the officer making the seizure on ten days notice by either written or printed advertisement placed in four public places, and the proceeds of sale, after deducting the costs of the proceedings and the expenses of sale, shall be divided as follows: one-fourth to the officer making the seizure and the residue to be divided equally among the persons who aided him in making such seizure.

6. Any party who has been adjudged guilty of a violation of the provisions of this act, and feels himself thereof aggrieved, shall have the right of appeal to the county circuit court of the county in which he has had a trial.

Approved and in force April 7, 1870.