

COMMISSIONERS OF FISHERIES.

65 Appointment of commissioners	68 To make annual report to governor
66 Duties	69 Salaries
67 Same	70 Appropriation.

HEAD OF THE BAY.

Art 41, s 1
1842, c 67
Non-residents
of State not to
set gill nets in
Chesapeake bay

1. No person, except resident citizens of this State, shall fix, set, or stake out any sort of gill nets, either stationary or floating, or any device whatever, for the taking of herrings and shad in the Chesapeake bay at any time between the first of March and the first of June in each year, and any person so offending shall forfeit the vessel and tackle used in such fishing, and all the nets, apparatus and devices for taking fish, and also pay a fine of fifty dollars for each offence.

Penalty

1878, c 276, s 1
Hauling of
seines, when
and where pro-
hibited

2. No person shall, from the tenth day of June to the first day of September in each year, fish with hauling seine or seines of any kind within the Chesapeake bay or any of its tributaries lying northward of the following line viz.: Beginning at the light-house on Turkey Point, in Cecil county, and drawn westward to the most northerly point of Spesutia Island, in Harford county.

Id s 2
Penalty for
violation

3. Any person or persons violating any of the provisions of this act, upon conviction thereof before any justice of the peace of the county in which said act has been violated, shall pay a fine of thirty dollars, and forfeit such seine or seines and the boat or boats and materials used in fishing the same, and upon trial and conviction, the seine or seines, boat or boats, and other fixtures used by said offender or offenders, shall be forfeited and sold to the highest bidder by the proper authorities, and the proceeds, together with the fine, after deducting the costs, shall be paid to the county commissioners of the county in which said offence shall be committed, for the use of the school fund of said county.

Id s 3
Punishment

4. Any person or persons, on conviction, failing to pay the fine, as prescribed in the preceding section, shall be imprisoned in the county jail of the county in which said offence shall be committed; *Provided*, however, that any one so offending shall upon conviction before any justice of the peace of the county in which said offence was committed, have the right of appeal to the Circuit Court of the county in which said offence shall be committed, under the same restrictions governing appeals from the decisions of justices of the peace

Appeal

Art 41, s 3
1843, c 275, s 1
Where stakes
for seines for-
bidden

5. No person shall place in the head waters of the Chesapeake bay, or in the Sassafraz, Elk, Bohemia, Northeast or Susquehanna rivers, or in any of their tributaries, any stakes, piles or other thing for the purpose of attaching seines or nets thereto, with the view of taking shad or fish of any description, this not to apply to any portion of said bay below Pool's Island.

Id s 5
1843, c 275, ss 3-4
Penalty

6. Any person violating the preceding section shall forfeit the seine or nets attached as aforesaid, and the boats and materials