

used for fishing the same, and shall also for each offence pay a fine of fifty dollars

7. No vessel, float of timber or plank, or of any other materials, or of any description or kind whatsoever, nor any boat of any description, unless compelled to do so by stress of weather or other unavoidable accident, shall be anchored or stayed in any fishery in the Susquehanna river, or at the head of the Chesapeake bay, at any time between the first day of April and the twentieth day of May in any year, and remain thus anchored for the space of half an hour, when the weather will admit of the departure of such vessel, float or boat, after being ordered to depart therefrom by the owner or occupier of such fishery; the usual haul of a seine from any floating battery anchored between Spesutia Island and Point Concord in the Chesapeake bay, for the purpose of fishing, shall be to all intents and purposes considered as a fishery within the meaning of this section.

Id s 6
1820, c 199, s 1,
1841, c 326, s 1-6
Vessels not to
anchor in
fisheries

8. Any person violating the preceding section shall pay a fine of twenty dollars for each offence, and every hour the vessel or other obstruction continues after the half hour mentioned in the preceding section shall be considered a new and separate offence

Id s 7
1820, c 199, s 1
Penalty

9. The skipper, the captain, owner or occupier of the vessel, float or boat referred to in the two preceding sections, shall be liable to pay said fine, and the vessel, float or boat so anchored or stayed as above mentioned, shall also be liable to be seized and sold to pay any fines imposed under the preceding section.

Id s 8
1820, c 199, s 1,
1841, c 234
Captain and ves-
sel liable

10. If any such vessel, float or boat shall be wittingly, wantonly and maliciously, or from gross negligence, sailed through any seine extended in any of the said fisheries, the skipper, captain or other person commanding such vessel, float or boat, shall pay to the owner or occupier of such seine, such damages as shall be ascertained by two respectable and disinterested men mutually chosen by the parties, or if the parties cannot agree upon persons as aforesaid to ascertain the damages, then any justice of the peace, on application of either of the parties, shall appoint three disinterested persons with power to any two of the three to ascertain such damages, and any justice of the peace of the county where such ascertainment of damages may be made, may enter judgment thereon against the captain or person having charge of such vessel, float or boat, if the sum does not exceed one hundred dollars, and issue execution thereon as on other judgments; and if the damages exceed one hundred dollars, then the party injured may have an action on said ascertainment of damages in the same manner as if it were an award; and in all cases the damages so ascertained, shall be a lien on such vessel, float or boat.

Id s 9
1820, c 199, s 2,
1841, c 326, s 5
Wantonly sail-
ing vessel
through seines

Damages.

11. No float or other device for fishing shall be anchored or located at any place so as to interfere with any shore fishery now used as such, or which may be hereafter established, nor shall any seine be hauled from such float or other device over the ground usu-

Id s 10
1820, c 199, s 3
How floats to be
anchored