

evidence; and the plaintiff in each and every suit shall be nonsuited and mulcted in costs, whenever it shall be clearly proven by legal and competent testimony that the lands whereon the trespass shall be alleged to have been done or committed were not enclosed according to law.

FERRIES.

1880, ch. 236.

172. It shall not be lawful for the keeper of any public ferry, and the ferry at Harrison, to charge any citizen of the county, or any citizen of any other county in this State, or of the city of Baltimore, who is now assessed with real estate in Dorchester county, with toll or passage money for crossing said ferries.

FISH.

1874, ch. 466.

173. It shall not be lawful for any persons, with the exception of *bona fide* resident voters of Dorchester county, and they shall first obtain permission of the occupants or owners of lands bordering on said waters of said county, to take or catch fish in the waters of said county with seines with meshes of less size than five inches square.

Ibid.

174. It shall not be lawful for any person to empty his seines in water less than twelve inches deep; and all persons violating the preceding section, upon conviction thereof before a justice of the peace in the county, shall be fined not less than five nor more than fifty dollars, or shall be subject to a forfeit of the seine and the boat and appurtenances thereto belonging, in the discretion of the said justice.

P. L. L., (1860,) art. 10, sec. 115.

175. Any justice of the peace of said county may issue his warrant, directed to the sheriff or any constable of the county, against any person offending against any of the provisions of the two preceding sections, and upon proof of his guilt shall pronounce judgment as provided in the preceding section; and shall direct the sheriff or constable to sell the seine, boat and appurte-