

To cull. small and unmarketable fish to return to deep water for growth; and every person using, fishing or emptying any seine, net, fish-basket, fish-pot, weir, pound-net, fyke, fish-trap, or contrivance of any kind, class or description which catches the fish alive, shall immediately and carefully cull them over and return the small unmarketable fish to the water, where it is not less than twelve inches in depth; all white or yellow perch under six inches in length, and all rock-fish or pike under eight inches in length, shall be held and considered to be "small and unmarketable fish," within the meaning of this section.

Violations. SEC. 155 B. Any person who shall violate any provision of the two preceding sections, or who shall expose for sale within the limits of said county, any white or yellow perch under six inches in length, or any rock fish or pike under eight inches in length, shall be arrested and the boat, seine or apparatus used in such unlawful proceeding by him shall be seized, and upon conviction of such offense before any justice of the peace of said county, such offender shall be fined not less than five nor more than fifty dollars, one-fourth of said fine to go to the informer, one-fourth to the constable or sheriff making the arrest, and the remaining one-half to the board of school commissioners for said county for school purposes; in default of the payment of the fine aforesaid, the said boat, seine, apparatus or materials so seized, shall be condemned and sold to pay the said fine and cost, after ten days notice thereof by handbills posted near the place of seizure, at the court house door and at the market house in Annapolis; and if the owner of any property so seized, shall be unknown, or shall make his escape, or shall fail to appear within five days after such seizure, the said property so seized shall be condemned and sold as is heretofore provided; any party adjudged guilty of the violation of any provision of this section, or of the two preceding sections of the sub-title, who feels himself aggrieved thereby, shall have the right to appeal to the circuit court for said county as in cases of appeal in civil cases from decisions of justices of the peace, and subject to the same laws and rules that govern in such other cases of appeal.

Proceedings.

SEC. 3. *And be it enacted*, That this act shall take effect from the date of its passage.

Approved April 3, 1890.