

or have in possession, or sell or offer for sale within said county, any bass, perch, cat fish or bull head pike or pickerel, of less length than ten inches from end of snout to end of caudal fin, any person who shall catch or take from said waters, any fish mentioned in this section, of less length than is herein specified, shall immediately place such fish back in the waters from which it was taken, and shall use due care not to kill or injure the same; any person violating any of the provisions of this section shall, upon conviction before any justice of the peace of said county, forfeit and pay a fine of five dollars for attempting to catch any of said fish as herein forbidden, and five dollars for each fish so caught, taken, killed sold or offered for sale, or had in possession, and in default of payment of such fine and costs of prosecution, shall be committed to the jail of said county for a period of not less than five, nor more than thirty days. Unlawful.

138. No person shall place within the waters of Washington county, Maryland, for any purpose whatsoever, any net, seine, pound or trap-net, drag-net, stir-net or set-net; nor shall it be lawful to use any method of sledging, gigging, or any snare or devise whatsoever, for taking any fish except by angle with a hand line or rod, and line held in hand, or by dip-net, all trot or out-lines, nets, seines and other devices forbidden by this section to be used, are hereby declared to be nuisances and contraband, and any person finding the same in the waters of said county or adjacent thereto, is authorized to destroy such contraband articles and no action for damages shall lie against them for such destruction; any person violating any of the provisions of this section, shall upon conviction before any justice of the peace of said county, forfeit and pay a fine of not less than ten nor more than thirty-five dollars and the cost of the prosecution, and in default of payment of said fine and costs to be committed to the jail of said county for a period of not less than ten nor more than thirty days. Contra-band nets

SEC. 2. *And be it enacted*, That the provisions of this act shall take effect from the date of its passage. Effective.

Approved April 3, 1890.

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#### CHAPTER 389.

AN ACT to refund to Jacob A. Grafton, late collector of State taxes for the fifth district of Harford county, the amount overpaid by him into the State treasury.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That the comptroller of the treasury be and he is hereby authorized and directed to draw his warrant upon the treasurer of this