

CHAPTER 380.

AN ACT to protect trout in the streams of Frederick County, and to repeal and re-enact with amendments, chapter 42 of the acts of Assembly of 1890.

Trout. SECTION 1. *Be it enacted by the General Assembly of Maryland,* That chapter forty-two of the acts of Assembly of 1890, be and the same is hereby repealed and re-enacted so as to read as follows: That it shall not be lawful for any person or persons hereafter to catch or take in any manner any trout from any of the streams of Frederick County, during the months of January, February, March, September, October, November and December of each year.

Evidence. SEC. 2. *And be it enacted,* That the possession by any person of any trout in Frederick County, during either of the months of January, February, March, September, October, November, or December shall be *prima facie* evidence that said trout were caught or taken from a stream in Frederick County.

Penalty. SEC. 3. *Be it enacted,* That for each trout caught or taken in any of the streams of Frederick County, contrary to the provisions of section one of this act, a fine of two dollars shall be imposed on all persons adjudged guilty of the violation of this law, and they shall also pay the costs of the prosecution.

Jurisdiction of magistrates. SEC. 4. *Be it enacted,* That any justice of the peace of Frederick County shall have jurisdiction of any violation of this act; any person offending against the provisions of this act and being convicted thereof shall forfeit the fine named in the act, the one-half of which shall go to the informer, and the balance to the County Commissioners of Frederick County, for the use of Frederick County; and if the offender shall fail to pay the fine and costs, he or they shall be committed to the jail of Frederick County for every such offense for not less than ten days, or more than sixty days.

Appeal. SEC. 5. *Be it enacted,* That any one who has been adjudged guilty of a violation of this law by a justice of the peace as aforesaid, has the right to appeal from said judgment to the Circuit Court for Frederick County, but sentence to jail shall not be stayed unless he gives a bond to the State of Maryland in the penalty of fifty dollars, with good security to prosecute said appeal with effect at the next term of said court, which bond shall be liable for said fine and all the cost of the prosecution, to that amount.

Effective. SEC. 6. *And be it enacted,* That this act shall take effect from the date of its passage.

Approved April 7th, 1892.