

said land may be situated; and provided, further, that the rights to take and catch fish with hook and line shall be allowed to all persons at all times.

Not to drive fish.

SEC. 5. *And be it enacted*, That it shall not be lawful for any person or persons to use any pole, oar or other device of any kind or description, to drive or frighten fish in said waters at any time by splashing, rowing or by any other means whatsoever.

Proceedings before Justices.

SEC. 6. *And be it enacted*, That upon the information of any citizen of said counties that he knows or verily believes that any person or persons have violated any of the provisions of this act, before any Justice of the Peace of said counties, the Justice of the Peace before whom said complaint is made, shall docket a case in the name of the State of Maryland, against such person or persons so charged on oath as offending, and issue a warrant to some one of the Constables or the Sheriff of said county, for the arrest of the party or parties charged in said oath with such violation of this act, to be brought before such Justice for trial, and upon conviction shall be fined not less than twenty nor more than one hundred dollars for each and every offence, in the discretion of the Justice of the Peace; one-half of which fine shall be paid to the informer, and the other half to the School fund of said county, and in default of payment of such fine such person or person so convicted shall be sent to the county jail for not less than ten days nor more than thirty days, in the discretion of said Justice of the Peace; and the said boat or boats, together with their oars, sails and other appliances, shall be sold at public sale by the Constable and the proceeds applied to said fine and the costs of the prosecution, including the fees and emoluments due the Sheriff for keeping and maintaining said person or persons so convicted; provided, that any person so convicted

Penalty.