

the provisions of this bill; *Provided also*, that he shall be allowed by the orphans court aforesaid all necessary expenses, except personal expenses. CHAP. 38.

## CHAP. XXXIX.

An Act to prevent Boats and other Vessels from taking Sand from that part of the Eastern Branch of the Potomac, lying and being in Prince-George's County. Passed Jan 27, 1827

*Preamble*  
**WHEREAS** it has been represented to this general assembly, by the petition of sundry inhabitants of Prince-George's county, that great injury has been done to the navigation of all that part of the Eastern branch, which is in said county, by boats or other vessels visiting and frequenting the said branch or river, for the purpose of taking sand therefrom: And whereas the citizens of said county, and more particularly those in the immediate vicinity of Bladensburgh, are importantly interested in keeping open the navigation of the said branch or river; Therefore,

1. *Be it enacted by the General Assembly of Maryland*, That from and after the passage of this act, it shall not be lawful for any boat or boats, or vessels of any description, to visit that part of the said Eastern branch of the Potomac, which lies in Prince-George's county, for the purpose of collecting and carrying away sand from said branch. Vessels prevented from carrying sand from branch

2. *And be it enacted*, That if after the passage of this act, any boat or boats, or vessels of any other description, shall visit that part of the said branch or river, for the purpose of taking sand from the shore or shores, or from any other part of said branch or river, it shall and may be lawful for any justice of the peace for said county, upon information being given to him of the same, to issue a warrant to a constable, or any other person living in said county, commanding him to seize and take said boat or boats, vessel or vessels, or any other device used for taking sand from that part of said branch or river; and the said constable, or other person, to whom such warrant shall be directed, shall have full power and authority to summon a posse of the county aforesaid, to enable him to execute said warrant, and any person or persons so summoned and refusing to act, shall be liable to the same penalties as persons summoned by sheriffs to enforce the laws of the state or the mandates of the courts of the state are, upon their refusal to act. May be seized for so doing

3. *And be it enacted*, That the said constable, or other person, to whom such warrant shall be directed, is hereby required to make return thereof to any justice of the peace of said county, and if it shall appear from said return that said boat or boats, or other vessel or vessels used for the purpose aforesaid, have been taken as directed by said warrant, it shall be the duty of said justice of the peace, to advertise said boat or boats, vessel or vessels, for sale, and after having given ten days notice of the time and place of sale, by advertisements at the public places in the neighbourhood, shall make sale of the same to the highest bidder, for cash, and one half of the proceeds of said sale, after paying the constable, or other person, to whom such warrant shall be directed, the sum of two dollars, and after deducting such poundage as is allowed to sheriffs on writs of *feri facias*, as a compen- And advertised and sold