

CHAPTER 311.

CHAP. 311.

*An act to preserve the Fish, Oysters, and Terrapins, in Wye River.* Passed Mar. 21, 1833

WHEREAS, the use of improper seines, in taking fish and terrapins in Wye river, is fast destroying them, and the quantities of oysters in the waters of said river are daily diminishing, from being covered up and smothered in mud, by attaching to such seines leads or weights to sink them into the bottom of said river; AND WHEREAS, the action of trespass is an inadequate remedy against said haulers, and especially against those whose names are unknown to the inhabitants, and who frequently disappear from the said waters, after having touched upon either shore, before process can be issued against them;—Therefore,

Section 1. *Be it enacted by the General Assembly of Maryland,* That in addition to the remedy by action of trespass, the seine, boat, tackle, and apparel, and all things in and belonging to said boat, shall be liable to be seized and distrained by the owner or occupant of the shores of the said river for the damages done in hauling such seine or seines on such shore, without permission from said owner or occupant; the amount of said damages to be ascertained by the valuation of a justice of the peace, or by three citizens, to be summoned and sworn by any justice at the request of any owner or occupant that makes the distress, or seizes the property aforesaid; and the articles of property, so seized and distrained for damages done upon the shores, shall be appraised and sold, and the seizure or distress be in every way conducted and disposed of, as if the same had been laid by a landlord for rent due and in arrear to him.

Preamble

Dist. sein. &c. li-  
ble to seizure  
and sale

Sec. 2. *And be it enacted,* That all acts of Assembly, repugnant to this act, shall be, and the same are hereby repealed.