

1860.

LAWS OF MARYLAND.

CHAP. 104.

CHAPTER 104.

Passed Feb. 28, 1860.

AN ACT to amend the twelfth, fourteenth, fifteenth, sixteenth sections of the forty-first article of the Code of Public General Laws, so as to change the time of fishing in the Potomac river, to prohibit persons from fishing with seines or gill nets, opposite the shores of the owner or occupiers of any fishery, to provide for a proper enforcement of the provisions of the said sections and to define the rights of bona fide citizens of the counties bordering on said river.

Repealed.

Fishing season.

SECTION. 1. *Be it enacted by the General Assembly of Maryland,* That the twelfth, fourteenth, fifteenth, and sixteenth sections of the forty-first article of the Code of Public General Laws, relating to fish and fisheries be and the same are hereby repealed, and the following enacted as a substitute for the twelfth section of the forty-first article of the Code of Public General Laws: The fishing season for shad and herring in the waters of the Potomac river, shall begin the first day of March and end the first day of June in each year.

Persons prohibited from fishing, at certain times, without permission.

SEC. 2. And the following enacted as a substitute for the fourteenth section of said article: No person shall haul, drift or fish any seine or gill net within the waters, bounds or berths of any regularly hauled fishing landing, nor opposite to any part of the shore of the owner or occupiers of any fishery between the first day of March, and the first day of June in each year, without the permission of the owner or occupier of such fishing landing, and any person so offending, shall be subject to the forfeiture and fine prescribed by the next preceding section.

Authorised to arrest violators.

SEC. 3. And the following enacted as a substitute for the fifteenth section of said article: The owner or occupiers of the regularly hauled fishing landings, are authorised to render any sheriff or other officer, assistance necessary to arrest any person violating any of the provisions of the two preceding sections, and the said officer shall seize all boats, seines and fixtures in the possession of such person and carry the person so arrested before some justice of the peace, to be dealt with as herein directed, and the said officer may summons the posse comi-