

C H A P.
LXXI.
Duties not to
be performed
on Sundays.

XXXV. And be it enacted, That if any of the days appointed by this act for the performance of any of the duties hereby required, shall happen to be a Sunday, then such duties shall be performed on the day following.

Suits to be
brought with-
in six months;
&c.

XXXVI. And be it enacted, That if any suit shall be brought against any person for any thing done in pursuance of this act, the suit shall be commenced within six months after the fact committed, and the defendant in any suit shall plead the general issue, and give this act and the special matter in evidence, and that the same was done in pursuance and by authority of this act; and if it shall appear so to be done, or if any suit shall be brought after the time limited, then the jury shall find for the defendant; and if the plaintiff shall become nonsuit, or suffer a discontinuance, or if a verdict shall pass, or, upon demurrer, judgment shall be given, against him, the defendant shall recover treble costs, and have such remedy for the same as any defendant hath for costs of suit in other cases at law.

C H A P. LXXII.

Passed De-
cember 22.

An ACT to restrain the ill practices of sheriffs, and to direct their conduct respecting runaways.

Preamble.

WHEREAS it is represented to this general assembly, that the sheriffs of the respective counties have neglected to advertise runaways, to the great injury of the owners; therefore,

Runaways
committed
to be adver-
tised, &c.

II. Be it enacted, by the General Assembly of Maryland, That it be the duty of the several and respective sheriffs, and they are hereby required and directed, upon any runaway being committed to their custody, to cause the same to be advertised in some public news-paper within twenty days after such commitment, and to make particular and minute description of the person, cloaths and any bodily marks, of such runaway.

If not applied
for, to be a-
gain adver-
tised, &c.

III. And be it enacted, That if no person shall apply for such runaway within the space of thirty days from such commitment, then it shall be the duty of such sheriff, if residing on the western shore, to cause the said runaway to be advertised, as heretofore directed, in the Maryland Journal and George-town Weekly Ledger, and, if residing on the eastern shore, to cause the same to be advertised in the Maryland Herald and Maryland Journal within sixty days from such commitment, and to continue the same therein until the said runaway is released by due course of law.

Penalty for
neglect, &c.

IV. And be it enacted, That if any sheriff shall refuse or neglect to comply with the directions of this act, he shall, for every such refusal or neglect, forfeit and pay the sum of twenty pounds current money to the owner of such runaway.

Duration.

V. And be it enacted, That this act shall commence and be in full force from the first day of April next.

C H A P. LXXIII.

Passed De-
cember 22.

A Supplement to an act, entitled, An act for the preservation of the breed of fish.

Preamble.

WHEREAS the breed of fish, especially of herrings, in Patuxent river, is extremely injured by the custom which prevails of whipping and beating the water with large poles for the purpose of driving the fish, whereby the spawn of said fish is destroyed; in order to prevent the like improper practices in future,

Penalty on
free persons
whipping the
water, &c.

II. Be it enacted, by the General Assembly of Maryland, That if any free person shall whip and beat the water in the river Patuxent, with poles or sticks, for the purpose of driving the fish in the said river, or for any other purpose, at any time between the first day of February and the first day of June in each year, during the continuance of this act, such person, so offending, shall forfeit and pay