

CHAP. 199.

Passed Feb 16 1821

Penalty on vessels
&c anchoring in
fisheries, &c.For sailing thro'
seine, &cNot lawful to an-
chor float, &c to
interfere with
shore fisheriesFines, how to be
recovered

Act repealed

CHAP. CXCIX.

An Act more effectually to prevent the Anchoring of Vessels in the Fisheries in the Susquehanna River, and at the Head of the Chesapeake Bay, and for other purposes,

1. *Be it enacted by the General Assembly of Maryland,* That if any vessel, float of timber or plank, or of any other materials, and of any description or kind soever, or boat of any description, unless compelled so to do by stress of weather, or other unavoidable accidents, shall be anchored or stayed in any fishery in the Susquehanna, or at the head of the Chesapeake bay, at any time between the first day of April, and the twentieth day of May in any year, and remain thus anchored for the space of half an hour, when the weather will admit of the departure of such vessel, float or boat, after being ordered to depart therefrom by the owner or occupiers of such fishery, the skipper, owner or owners, commanding such vessel, float or boat, shall forfeit and pay to the owner or occupier of such fishery the sum of twenty dollars for every such offence, one half to the owner, and the other for the use of the county, and a further sum of ten dollars for every hour such vessel, float or boat, shall remain anchored or stayed as aforesaid after such notice, one half to the owner, and the other for the use of the county.

2. *And be it enacted.* That if any such vessel, float or boat, shall be wittingly, wantonly and maliciously, sailed through any seine extended in any of the said fisheries, the skipper, or other person commanding such vessel, float or boat, shall pay such damage as shall be ascertained by two respectable and disinterested men mutually chosen by the parties, or if they cannot agree, by any justice of the peace on application of either of the parties.

3. *And be it enacted,* That it shall not be lawful for any person or persons to anchor or locate any such float, or other device, in any place in said waters, so as to interfere with the shore fisheries, either by their being thus anchored or located, or by hauling from such float, or other device, over the ground covered with water usually hauled over by said shore fisheries; and each and every such person so anchoring or locating such float, or other device as aforesaid, shall for each and every offence forfeit the sum of twenty five dollars, and the further sum of twenty-five dollars for every hour such float, or other device, shall remain thus anchored or located, after notice shall be given by the owner or occupier of said shore fishery, requiring him or them to remove the same.

4. *And be it enacted,* That all fines or forfeitures, and damages incurred under this act, shall be recovered as other small debts, before a justice of the peace for the county in which the fishery may be, and should the skipper, or other persons commanding such vessel, float or boat, refuse to give up his or their name or names, and he or they should not be known, the justice of the peace may issue his warrant against the commander or owner of such vessel, float or boat, by that name, and give judgment accordingly, and such judgment shall be as effectual as if the warrant and judgment contained the proper name of said commander or owner.

5. *And be it enacted,* That the act to prevent the anchoring of vessels in the fisheries in Susquehanna river, and the head of the