

any County Court of this Province, where such Offender shall be apprehended or reside.

Wears, &c.  
may be de-  
stroyed.

III. And be it Enacted, by the Authority, Advice, and Consent aforesaid, That it shall and may be lawful to, and for any Person or Persons whatsoever, to break, throw down, remove, and destroy, all or any such Wear or Wears, Fishing-Dam, Pot, or other Device, built or set up, or to be built or set up, in the aforesaid Rivers, for catching of Fish as aforesaid.

Persons sued,  
may plead the  
general Issue.

IV. And be it further Enacted, by the Authority, Advice, and Consent aforesaid, That if any Person or Persons, shall be sued or impleaded, for breaking, throwing down, removing, or destroying any such Wear or Wears, Fishing-Dam, Pot, or other Device, built, or set up contrary to the true Intent and Meaning of this Act, it shall and may be lawful for such Person or Persons, to plead the general Issue, and give this Act and the special Matter in Evidence; and, if upon Trial, the Plaintiff or Plaintiffs shall be non-suit, or shall discontinue his or their Suits, then, and in such Case, the Defendant or Defendants shall recover double Costs.

Seans may be  
drawn in Pa-  
tuxent, from  
the 20th of Fe-  
bruary, to the  
20th of May,  
annually, 4  
Days in each  
Week.

V. And be it further Enacted, That no Person or Persons whatsoever, shall, from and after the Twentieth Day of February next, until the Twentieth Day of May ensuing; and so yearly, and every Year, during the Times aforesaid, hale, draw, or lay across any Sean or Seans, thereby to catch any Fish in the said River of Patuxent, from Mount-Calvert, to the Head thereof, except on Tuesday, Wednesday, Thursday, and Friday, in each Week, during the Times aforesaid, and the Continuance of this Act; and that if any Person or Persons, shall hale, draw, or lay across any Sean or Seans, on any other Day or Days, except as before excepted, during said Time, and be thereof legally convicted, by the Oath of one or more credible Witness or Witnesses, or by his or their Confession, shall forfeit and pay the Sum of Ten Pounds Current Money, to be recovered and applied as aforesaid.

Proviso.

VI. Provided always, That nothing in this Act contained, shall prevent any Person or Persons whatever, from erecting such Wears as are commonly set in the Sides of the Rivers, any where in the River *Susquebannab*, where the Tide ebbs and flows, nor in any Part of the River *Patuxent*, below the Place commonly called *Mount-Pleasant*.

Continuance.

VII. This Act to continue for and during the Term of Three Years, and to the End of the next Session of Assembly, which shall happen after the End of the said Three Years.

*Proviso for continuance in 1777 for 7 years* 17 -  
C H A P. V.  
An ACT to prevent any Obstruction of the Navigation in the  
River *Patowmack*.

Preamble.

WHEREAS it is represented to this General Assembly, That the Water-Carriage is greatly obstructed by erecting Fish-Dams above the Falls in the River *Patowmack*, and also in *Monocofy* River:

Fish-Dams,  
&c. erected  
between the  
Great-Falls  
and Wills's  
Creek, &c.  
deem'd Nui-  
sances.

It. Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That all Fish-Dams, or other Devices for catching of Fish, already made, or hereafter to be made, and all other Erections hereafter to be made, in the River *Patowmack*, between the *Great-Falls* and *Wills's* Creek, or in the River *Monocofy*, below the dividing thereof into the two Pipe Creeks, shall be, and are hereby deemed and declared Nuisances, and may, by any Person or Persons, be