

water, or any of their tributaries, in Frederick county, for the purpose of catching, taking or destroying fish in any of the said creeks, streams of water, and their tributaries in said county, shall for every such offence, upon conviction thereof before a Justice of the Peace of said county, be fined in a sum not less than twenty nor more than fifty dollars; said fines to be applied to the primary school fund of Frederick county.

Upon failure to pay fine, the offender shall be committed to jail.

Sec. 2. *And be it enacted*, That in the event of the failure or refusal of any person so convicted to pay such fine, the Justice of the Peace imposing said fine shall commit him to the jail of Frederick county for not less than three nor more than six months.

In force.

Sec. 3. *And be it enacted*, That this act shall take effect from the date of its passage.

CHAPTER 242.

Passed March 10, 1862.

AN ACT to prohibit the issuing of any license for the sale of Spirituous or Intoxicating Drinks within two miles of the village of Brookville, Montgomery county, four miles of Emory Chapel, in said county, and within the limits of the First Election District in said county, and to amend section forty-eight of Article fifteen of the Code of Public Local Laws relating thereto.

License to sell liquor in village of Brookville, or in 1st district, not to be issued, &c.

SECTION 1. *Be it enacted*, That the Clerk of the Circuit Court for Montgomery county shall not grant a license to any person to sell intoxicating drinks, at any time, within two miles of the village of Brookville in said county, nor shall said Clerk grant such license within the limits of the First Election district in said county, nor within a radius of four miles from Emory Chapel and School in said county, nor shall the said Clerk grant such license to any person within either of said limits, without, in either case, an order in writing from the Judge of the said Circuit Court, and the said Judge