

ten per cent. of fish under size or weight, whether such fish so exposed for sale, sold or bought shall have been caught, trapped or in any other manner taken or killed in the State of Maryland or in any other State or county, under penalty for exposing for sale, selling or buying of such fish as provided in section 83, for catching said undersized fish, but nothing in this section contained shall be so construed as to prevent any of the fish commissioners of this State, in pursuance of their capacity as fish culturist, or any other person or corporation which shall first obtain a certificate in writing from the state game warden to the effect that such persons or corporations are engaged in the scientific culture or propagation only; and to obtain said certificate said persons or corporations must file with the state game warden an application and affidavit to the truth and *bona fides* thereof, made by the person or officers of the corporation requesting the same, and taken before any officer competent to administer an oath in this State, and said affidavit and application shall be retained and kept on file by said state game warden.

As to the authority of the game warden as to fish unlawfully had in one's possession, etc., see art. 99, sec. 52, *et seq.*

Cf. art. 72, sec. 10, and art. 99, sec. 26 and notes.

1904, art. 39, sec. 86. 1902, ch. 358, sec. 2. 1906, ch. 161.

86. All acts and parts of acts, and all sections and parts of sections of the code, both of general and local laws, and all amendments of and additions and supplements thereto, now in force in the State of Maryland, inconsistent with the provisions of sections 78 to 86, with the exception only of chapter 427 of the acts of the general assembly of Maryland, passed at the session of 1896, are hereby repealed; provided that nothing in the said sections shall apply to Frederick, Baltimore, Howard, Cecil, Kent, Queen Anne's, Harford, St. Mary's, Wicomico, Charles, Talbot, Worcester, Calvert, or Somerset counties, or to Baltimore city.

1910, ch. 286 (p. 139).

87. It shall be lawful to take cat fish and eels in any of the waters of the State of Maryland in any manner during the months of September, October, November and December in each year.

1910, ch. 255, sec. 4 (p. 136).

88. Any person violating any of sections 79, 83, 85, or 95 shall be guilty of a misdemeanor, and upon conviction thereof shall be fined the sum of twenty-five dollars nor more than one hundred dollars for each and every offense, and shall stand committed to the county jail if said fine is not paid for one day for each dollar of fine imposed, but not for a period of more than sixty days. Any deputy game warden or constable or informer who shall procure a conviction under said sections shall be entitled to the half fine received, and remaining half shall be paid over to the state treasurer to the account of the state game protection fund, to be used by the state game warden for the protection of fish in waters of the State as may be provided by law.