

vided in this Article; that he will comply with and obey all laws of this State regulating the taking or catching of oysters.

Unmerchantable oysters.

8. Any person who shall have oysters in his possession which contain more than five per cent. of shells, and oysters less than two and one-half inches from hinge to mouth, which for the purpose of this Article are declared to be unmerchantable oysters, shall be guilty of a misdemeanor, and in ascertaining such percentage the officers of the oyster police force, and the measurers and inspectors, are hereby authorized and directed to select such amount of oysters from any pile, hold, bin, house or other place, as he may think proper, and to require the same to be culled and disposed of, as provided in Section nine of this Article; and any person violating any of the provisions of this section shall be subject to the penalties and fines, as provided in Section nine of this Article, in precisely the same manner as if he were a captain of a boat. It shall be unlawful for any packer, commission man or other person to purchase or receive any cargo or any part of a cargo of oysters unless a general inspector, measurer or special inspector shall be present, and said inspector or measurer shall cause to be culled any portion or all of the cargo necessary to determine the percentage of culls in said cargo, and if the said percentage shall be more than five per cent. of unmerchantable oysters of the portion of cargo so measured, then the said cargo shall be deemed to be unculted, and the captain, master or person in charge of such oysters shall be required to cull the whole cargo, and in case said cargo contains more than five per cent. of unmerchantable oysters, be fined the sum of twenty-five dollars, and in addition to that the sum of six cents per bushel for the entire cargo, including all shells and oysters, large and small, in his or their possession or charge, and also a further fine of one additional cent per bushel on the entire cargo for each additional one per cent. of unmerchantable oysters which said cargo may be found to contain; and the inspector or measurer, after ascertaining the quantity of unmerchantable oysters so culled out, shall give the captain or other person in charge of said vessel a certificate showing the number of bushels of such unmerchantable oysters, and said captain or other person in charge shall return the said unmerchantable oysters so culled out and scatter them on the ground or rocks whence taken, under the direction of the deputy commander of the oyster police boat on the beat, and, upon such delivery and scattering, the deputy commander or other person in charge of the oyster police boat shall endorse the said certificate as to the number

Unlawful to purchase cargo unless measurer or inspector be present.

Unmerchantable oysters returned to place from whence taken and scattered, etc.