

dredge, or any such instrument in the waters of the Potomac River between the fifteenth day of March and the first day of November of each year; it shall not be lawful for any citizen of either State to take oysters with tongs from the waters of the Potomac River between the twenty-fifth day of April and the fifteenth day of September of each year, except as herein-after provided in section 4 of this act; it shall not be lawful for any person to have in possession any oysters taken from the waters of the Potomac River between the first day of May and the fifteenth day of September of each year. Every person found guilty of violating any of the provisions of this section shall be fined not less than fifty dollars nor more than five hundred dollars for each offense, and the vessel, together with its equipment and cargo, used in violating any such provisions, shall be forfeited to the State.

SEC. 3. *Providing a cull law and imposing penalties.* All oysters taken from any natural rocks, beds or shoals within the Potomac River shall be culled on their natural rocks, beds or shoals as taken, and oysters whose shells measure less than two and one-half inches in length, measuring from hinge to mouth, and all shells shall be included in said culling and replaced on said rocks, beds or shoals; provided, that oysters once passed from the culler less than the prohibited size, and all shells shall be considered as not having been culled according to the provisions of this section; provided, that when small oysters are adhering so closely to the shell of a marketable oyster as to render removal impossible without destroying the small oyster, then it shall be necessary to remove it. And it shall be unlawful for any person to take, buy or sell the small oysters and shells from the natural rocks, beds and shoals as aforesaid, or to take, buy, sell or have in possession oysters less than two and one-half inches in length from hinge to mouth. Whenever any inspector or other officer shall have reason to believe that this section has been violated with the reference to the culling of oysters, such inspector or other officer is hereby authorized to examine the cargo of any boat or vessel, and if upon examination of said cargo the said inspector or other officer shall find that five per centum or more of said cargo shall consist of shells and oysters whose shells measure less than two and one-half inches in length, measuring from hinge to mouth, the captain of the boat or other person in charge of said boat shall be deemed to have violated this section, and upon conviction, if of a dredge boat or vender of oysters, shall be fined not less than forty dollars nor more than two hundred dollars, or confined in jail not less than thirty days nor more