

tax to take oysters with such tongs above the said line during the open season provided for in the waters above said line.

SEC. 5. *Permit required for buying or carrying seed oysters and prescribing penalties.* It shall be lawful for any citizen of Maryland or of Virginia, after having obtained a permit as hereinafter provided, to buy and carry out of the Potomac River to be planted in the waters of either Maryland or Virginia, oysters whose shells measure less than two and one-half inches from hinge to mouth taken from natural rocks, beds and shoals in said river above a straight line drawn from the north point at the mouth of Upper Machodoc Creek, in the county of King George, Virginia, to Lower Cedar point, in Charles county, Maryland, during the period between the first day of January and the first day of May in any year. The said permit shall be obtained from any oyster inspector, or any officer in charge of a Virginia or Maryland oyster police boat, for each boat or vessel to be used in carrying said oysters as aforesaid, and shall state the name and tonnage (if registered in the custom house) of the boat or vessel, the name of the owner and the master thereof, and to what waters in Maryland or Virginia such cargo of oysters is to be carried. Before such permit shall be granted the owner or master of such boat or vessel shall take and subscribe to an oath before said officer that the said boat or vessel will not be used for carrying said oysters to any State other than Maryland or Virginia, or for any other purpose than for planting the same in the waters of one or the other of the said States, and that he will not sell said oysters to any other person for the purpose of carrying the same to any State other than Maryland or Virginia. The oath so taken and subscribed, together with a memorandum of the permit issued, shall be returned by said officer to the commander of the State Fishery Force of Maryland, if said officer be a Maryland official, or to the secretary of the Commission of Fisheries of Virginia, if said officer be a Virginia official, to be filed by him in his office. Blank forms for such oath and permit shall be furnished to the respective oyster inspectors, and the respective captains of the oyster police boats, by the Comptroller of Maryland and the Auditor of Public Accounts of Virginia. For administering said oath and issuing said permit, the inspector or officer issuing same shall be entitled to receive from the applicant a fee of twenty-five cents. The owner or master of any boat or vessel found carrying or buying such seed oysters without such permit shall be fined not less than twenty dollars nor more than one hundred dollars. And any owner or master of any boat or vessel violating the