

between the first day of November and the fifteenth day of March on which day the dredging season shall end; provided, however, that in the waters of the Potomac river the beginning of the dredging season shall be on the fifteenth day of October, but it shall be lawful for the owner of any such licensed boat whenever said owner shall sell and convey by bill of sale for a *bona fide* consideration such boat to any person who has been a resident of the State of Maryland for at least one year to transfer said license to said purchaser with said boat, which license when transferred shall entitle said purchaser to the same privileges of catching and taking oysters with said boat in the waters of this State that the original owner had before such assignment; provided, said seller and buyer appear before the comptroller of the treasury and make oath before him to all facts, matters and things required of said original owner of such boat before taking out such license, upon which said license said comptroller shall certify in writing that the said purchaser has taken said oath, for which said certificate the said purchaser shall pay to the comptroller the sum of five dollars for the use of the oyster fund; the provisions of this section in relation to the time of taking oysters, the time of expiration of license and the transfer of ownership shall apply to all vessels licensed by any county in this State to take and catch oysters with dredge, scrape or scoop.

This section referred to as indicating that section 9 applies only to oysters taken from the waters of this state. *Tyler v. State*, 93 Md. 310.

Cited but not construed in *Givens v. State*, 76 Md. 485.

1904, art. 72, sec. 21. 1894, ch. 380, sec. 20.

22. It shall not be lawful for the owner or master or any person on board of a vessel in this State to affix any crank, spool, winder or other machinery or equipment for operating or handling scoops or dredges or to have on board any vessel a scoop, scrape or dredge, with intent to affix the same to said vessel for use in taking or catching oysters, without having first obtained a license to take or catch oysters with a scoop or dredge as aforesaid, and the fact of having such scoop, dredge or scrape on board of any vessel shall be *prima facie* evidence of an intent to use the same contrary to this section.

The section of the act of 1886, ch. 296, providing that having dredging instruments on board should be *prima facie* evidence of an intention to use the vessel contrary to law, held to be constitutional and valid. *Dize v. Lloyd*, 36 Fed. 652.

*Ibid.* sec. 22. 1894, ch. 380, sec. 21. 1896, ch. 418.

23. The owner of such boat shall make oath before the comptroller or his clerk, or if the owner be a resident of Baltimore city he may make oath before the clerk of the court of common pleas, or if a resident of county he may make oath before the clerk of the circuit court for said county, at the same time exhibiting his custom-house license to said officer before whom he makes the oath that he is the *bona fide* owner of such boat described in the license; that he has been a resident of the State for the time hereinbefore prescribed; that there is no lien