

and they shall arrest and bring to trial all persons found violating any section of this article and cause them to be tried and punished as provided by law.

Under the act of 1886, ch. 296, section 41, officers of the state fishery force had authority to arrest without a warrant. A written charge need not be filed with the magistrate. *Kane v. State*, 70 Md. 548.

As to fish and fisheries, see art. 39.

See notes to sec. 34.

1904, art. 72, sec. 45. 1894, ch. 380, sec. 45. 1900, ch. 380. 1904, ch. 259.

46. The commander of said force shall have control and direction of said force, under the supervision of the board of public works, with power to direct its movements, and shall have an office, to which place all complaints and applications for assistance shall be addressed, and it shall be his duty to have kept an itemized account of all expenses and disbursements of said force and same report monthly to the board of public works, accompanied by proper receipts and vouchers. The said commander shall be permitted to have a clerk at a salary of one thousand dollars per annum; said clerk shall remain at the office in Annapolis and issue, by power, all orders necessary for the proper maintenance and supply of said force; he shall, as often as practicable, hold consultation with said commander and take orders from him for the duties which he is to perform, and in the absence of said commander he shall, as required by the said commander, report fully to the board of public works.

Locating Oyster Lots.

Ibid. sec. 46. 1894, ch. 380, sec. 46. 1898, chs. 18 and 274. 1904, ch. 598. 1906, ch. 367. 1908, ch. 529.

47. The owner of any land bordering on any of the navigable waters of this State, the lines of which extend into and are covered by said waters, shall have the exclusive privilege of using the same for protecting, sowing, bedding or depositing oysters or other shell fish within the lines of his own land; and any owner of land lying and bordering upon any of the waters of this State shall have power to locate and appropriate in any of the waters adjoining his lands one lot of five acres for the purpose of protecting, preserving, depositing, bedding or sowing oysters or other shell fish; and any male or female citizen of full age, of the county wherein he or she resides, shall have power to locate and appropriate and hold one lot of five acres and no more in any waters in this State not located or appropriated; provided, thirty days' notice in writing shall be given the owner or occupant of land bordering on said waters proposed to be located, that the owner or occupant may have priority of claim; and if such owner or occupant shall fail to locate or appropriate the water mentioned in said notice within thirty days after receiving the same, then it shall be open and free to any one, under the provisions of this section; provided, also that the said location or appropriation shall be described by stakes, bushes and with the name of