

or both, in the discretion of the judge or justice of the peace trying the same; and in case a fine is imposed under the provisions of this section, said fine to be paid over by the officer making the arrest to the comptroller of the State, to be credited to the oyster fund; one-half, however, to be paid to the informer, unless he be an officer of the state fishery force. Said measures shall also be the standard measure for shells, and the use of any other measure for that purpose shall be punished, as is prescribed by this section for the use of any other measures for measuring oysters, and the measurers or special inspectors are hereby forbidden to handle or interfere with the oysters in or upon the tub or measure for the purpose of pressing or pushing down same under penalty of removal from office and a fine of ten dollars for each offense.

For a case involving the act of 1874, ch 221, see *McGrath v. State*, 46 Md. 633.

1904, art. 72, sec. 75. 1894, ch. 380, sec. 64.

77. In addition to the charges herein mentioned for compensation to the general measurers and inspectors of oysters it shall be unlawful for the buyer of any cargo or part of a cargo of oysters sold in the shell to exact of or retain from the proceeds of said cargo or part of a cargo due the seller, a larger or greater sum or amount than one-half cent per bushel, in which shall be included the amount now allowed by law to be paid by the seller to the licensed measurer and inspector; and any person or persons charging or exacting a larger sum shall be subject to a fine of fifty dollars, upon conviction before any justice of the peace, one-half of said fine to be paid to the informer and the other half to the comptroller, to be placed to the credit of the oyster fund.

#### Exempted Waters.

Ibid. sec. 76. 1894, ch. 380, sec. 65. 1904, ch. 562. 1904, ch. 572.

78. It shall not be lawful for any person or persons to use any vessel licensed to take or catch oysters in the waters of this State in taking or catching oysters with scoop, scrape, dredge, tongs or rake, or any similar instrument, east of a straight line from Richmond Point to Pone Point on the lower end of Bloodworth Island in the State of Maryland; provided that this section shall not apply to *bona fide* resident citizens of Dorchester county licensed to take or catch oysters in the waters of said county. Special local laws exist for Dorchester, Talbot and Wicomico counties.\*

#### Packing Oysters.

Ibid. sec. 77. 1894, ch. 380, sec. 66. 1900, ch. 380. 1906, ch. 188, sec. 77.

79. It shall be unlawful for any person, firm or corporation to engage in the business of packing or canning oysters without first taking

\*The act of 1904, ch. 572, was repealed as to Dorchester county by the act of 1910, ch. 656 (p. 1188). See the latter act also as to the use of the waters of the Nanticoke river by the citizens of Dorchester and Wicomico counties.