

Packing Oysters.

79.

Cited but not construed in *Foot v. Claggett*, 116 Md. 233.

Oyster Culture.

1906, ch. 711, sec. 83. 1914, ch. 265, sec. 83.

85. Any resident of Maryland shall have the right to plant and cultivate oysters in the waters of this State; such right shall be exercised in the manner prescribed in the following Sections of this sub-title, and shall be subject to the regulations, provisions and limitations hereinafter set forth, but no corporation or joint stock company shall be permitted to lease or take up, or to acquire by assignment, or otherwise, any lands of the State for oyster planting or cultivation. All natural beds or bars shall be excluded from the operation of this sub-title, and no person shall be permitted to plant or cultivate oysters thereupon, or in any way to appropriate the same to his own use. The term "natural beds or bars" wherever used in this sub-title shall hereafter be construed to mean and include all oyster beds and bars under any of the waters of this State whereon the natural growth of oysters is of such abundance that the public have successfully resorted to such beds or bars for a livelihood, whether continuously or at intervals, during any oyster season within five years prior to the time of filing of the application for a lease of the area in question, or if no application has been made for a lease of the area in question, then within five years prior to the making of the resurvey under Section 96A, or the filing of a petition under section 96B of this article, provided that the actual condition of the area in question at any time within said respective periods of five years or up to the date of hearing shall be taken into consideration in determining whether or not said area is a natural bed or bar, as above defined.

1906, ch. 711, sec. 84. 1914, ch. 265, sec. 84. -

86.* The Board of Shell Fish Commissioners of Maryland is hereby created. The said Board shall consist of three members, one of whom shall be a resident of one of the tidewater Counties of the Eastern Shore of Maryland, another a resident of one of the tidewater Counties of the Western Shore, and the third a resident of the City of Baltimore, and one of whom shall be a member of the minority party at the time of their appointment. The term of each of the members of said Board shall be two years from the first Monday in May after his appointment. They shall be appointed by the Board of Public Works of the State of Maryland. No member of said Board of Shell Fish Commissioners shall be or become in any manner interested in any land leased or taken up for bedding, planting or cultivating oysters.

*The act of 1914, chapter 703, appropriates fifteen thousand dollars for the expenses and use of the Board of Shell Fish Commissioners.