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| 158. How, when and by whom oysters may be caught upon reserved areas; tax; certificates; culling; special license; oath; when reserved areas thrown open to public. Penalties. | of such area; tax; transplanting; special license. |
| 159. Disposition of tax. | 161. Experimental area; powers of commission; penalty. |
| 160. Conservation commission to select and reserve natural beds, etc., for oyster cultivation; closing and reopening | 162. Boats to guard reserved areas, when closed and during current season when reopened. |
| | 163. Reports to General Assembly of progress of replenishing natural beds, etc., under "Reserved Area" law. |

Tonging.

An. Code, sec. 1. 1904, sec. 1. 1894, ch. 380, sec. 1. 1900, ch. 380.
1910, ch. 413, sec. 1 (p. 205). 1920, ch. 680.

1. Any resident of this State desiring to catch oysters with rakes or tongs for sale in any of the waters of this State shall first obtain by application to the Clerk of the Circuit Court for the county wherein he may reside a separate license for every person to be employed on such boat, and such license shall have effect from the first day of September, in the year which it may have been obtained, to the twenty-fifth day of April, inclusive, next succeeding; provided, that such license shall not authorize the taking or catching of oysters in any creek, cove, river, inlet, bay or sound within the limit of any county other than that wherein the license shall have been granted; and that the boundaries of the counties or navigable waters shall be strictly construed so as not to permit the residents of either county to take or catch oysters beyond the middle of the dividing channel; provided, that nothing in this section shall be so construed as to prevent the citizens of Queen Anne's and Kent Counties from using the waters of Chester River in common, or the citizens of Dorchester and Wicomico Counties from using the waters of Nanticoke River in common, or the Citizens of Queen Anne's and Talbot Counties from using the waters of the Wye River and the mouth thereof in common, or the citizens of Dorchester and Talbot Counties from using the waters of the Choptank River in common; provided, however, that the County Commissioners shall be authorized to give special permission to any woman who has no visible means of support to take and catch oysters without license. Provided, that the open season for the taking or catching of oysters in the Tred Avon River and its tributaries in Talbot County shall be from the first day of October to the twenty-fifth day of April, each year, both dates inclusive; and the open season for the taking or catching of oysters on the oyster bar known as Tilghman's Point, bordering on the Tred Avon River near the town limits of Oxford, in said county, shall be from the first day of January to the twenty-fifth day of April, each year, both dates inclusive.

The oyster beds of Chesapeake bay are property of the state, and legislature may make all reasonable regulations concerning same. *State v. Applegarth*, 81 Md. 299; *Hess v. Muir*, 65 Md. 606 (separate opinion).

The act of 1894, ch. 380, is not unconstitutional as embracing a subject distinct from its title. *State v. Applegarth*, 81 Md. 303.

This section referred to in deciding that sec. 9 applies only to oysters taken from the waters of this state. *Tyler v. State*, 93 Md. 313.