

An. Code, sec. 21. 1904, sec. 20. 1894, ch. 380, sec. 19. 1900, ch. 380.

23. The comptroller of the treasury shall upon application of any person who has been a resident of this State for twelve consecutive months next preceding his application, issue a license to such resident, and to no other person, to employ such boat in taking or catching oysters with scoop, dredge or similar instrument within the waters of the Chesapeake bay, Potomac river and in Eastern bay, outside of a line drawn from the southwest corner of First Kent Point to north end of Poplar Island; provided, that nothing herein contained shall authorize the taking or catching of oysters with scoop, dredge or similar instrument on any oyster bar within one and one-half miles of Tolley's Point, Sandy Point, Hackett's Point, Thomas' Point, Holland's Island bar and Three Sisters, nor within one and one-half miles of Holland's Point bar, nor of Swan's Point bar, nor between Poplar Island and the mainland of Talbot county, south of a line drawn from the north point of Poplar Island to Low's Point on the mainland, nor north of a line drawn from the end of the south bar of Poplar Island to Pawpaw cove, on Tilghman Island, nor within one-quarter of a mile west of Poplar Island, nor within one-half of a mile of Plum Point, nor within the boundary lines of any county, unless herein otherwise specified, which license shall hold good for one season only and shall only authorize the catching of oysters 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 sec. 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.

An. Code, sec. 22. 1904, sec. 21. 1894, ch. 380, sec. 20.

24. 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