

for the purpose of this Article are declared to be unmerchutable oysters, shall be guilty of a misdemeanor, and in ascertaining such percentage the officers of the oyster police force and the measurers and inspectors are hereby authorized and directed to select such amount of oysters from any pile, hold, bin, house or other place as he may think proper and to require the same to be culled and disposed of, as provided in Section 11 of this Article; and any person violating any of the provisions of this Section shall be subject to the penalties and fines as provided in Section 11 of this Article, in precisely the same manner as if he were a captain of a boat.¹

An. Code, 1924, sec. 11. 1912, sec. 11. 1904, sec. 10. 1894, ch. 380, sec. 9.
1900, ch. 380. 1922, ch. 519, sec. 11. 1927, ch. 467, sec. 11.

11. Any person, firm or corporation engaged in catching, buying, selling or packing oysters violating any provision of Section 8 or 9 of this Article shall be deemed guilty of a misdemeanor, and upon conviction before any justice of the peace or court of competent jurisdiction shall be fined the sum of not less than \$100, or confined in jail not less than 30 days nor more than six months, either or both, and in addition to such fine or imprisonment said cargo shall be confiscated and returned to natural beds or bars under the supervision of the oyster inspector or other officer making the arrest, and at the expense of the violator, which expense shall be in addition to the fine imposed and collectible in the same manner, and the boat or vessel shall be held as security for the payment of said fine. If the violator has taken oysters only with tongs he shall be fined \$25, and the boat in which said oysters are found shall be held as security for the payment of said fine. In addition to the above penalties the justice of the peace or judge may, in a case where the violator has been previously convicted of violating the provisions of this sub-title, suspend or revoke the license under which said violator may be operating for the purpose of catching, shucking, packing or canning oysters. In case there is an appeal or waiver of trial before Justice of the Peace, in order to provide for the disposition of any oysters that have been declared unmerchutable, the cargo of oysters shall remain in the possession or custody of the Deputy Commander, Inspector or other officer making the arrest until the captain of the boat or vessel or the packer shall have reculled the oysters in question; and the officer under whose supervision the reculling is done, after ascertaining the quantity of unmerchutable oysters and shells so culled out, shall give the captain or other person in charge of said vessel or packing house, a certificate showing the number of bushels of such unmerchutable oysters and the said captain or other person shall return said unmerchutable oysters so culled out to the natural beds or bars under the supervision of the officer. The cost of reculling and expenses incident to same shall be borne by the violator.

¹ Sec. 2 of ch. 125 of acts of 1927 repealed all laws inconsistent therewith to extent of inconsistency.