

Potomac river which may be within the lines of St. Mary's County, between the first day of April and the twentieth day of September in each year; nor shall it be lawful for any person, at any time, to take or catch oysters in the Patuxent river north of a straight line drawn from St. Cuthbert's wharf, in St. Mary's County, to St. Leonard's creek, in Calvert County with any patent tongs worked by ropes, cables or other appliance, to work said patent tongs; and above said line no appliance shall be used to take or catch oysters other than the ordinary tongs worked by hand only; provided, however, that licensees holding licenses under the State law shall be permitted to work in other waters contiguous to said counties for the entire season, covered by the said State law in regard to tonging oysters; any citizen of St. Mary's or Calvert Counties desiring to take or catch oysters with tongs may apply to the Clerk of the County of which he is a resident for a license to take oysters in the Chesapeake Bay or Potomac river during the time allowed by the General Oyster Law, and such license shall be good for the entire oyster season; provided, however, that the provisions of Article 72 of the Code of Public General Laws, title "Oysters," shall apply as to the culling of oysters in St. Mary's County.*

P. L. L., 1888, Art. 19, sec. 84. 1878, ch. 471.

145. Upon information given upon oath to any justice of the peace in and for the counties aforesaid, of any violation of the provisions of the preceding section, he shall issue his warrant for the arrest of the offender, and the seizure of the canoe or boat in his possession, or used in the commission of the offence, together with the tackle, instruments and all things on board at the time, which warrant shall be directed to the sheriff or any constable of the county, and shall be returnable in five days from the issuing thereof.

P. L. L., 1888, Art. 19, sec. 85. 1878, ch. 471.

146. The justice of the peace before whom such warrant is returnable, shall, upon the return thereof, docket a case in the name of the State against the person arrested, and the property seized by virtue of said warrant; and if upon trial the said person shall be found guilty of violating Section 144, he shall render judgment, either imposing a fine upon each person so guilty, of not less than twenty-five dollars or more than one hundred dollars, or condemning the canoe or boat in possession of the offender, or used in the commission of the offence, together with all the tackle, instruments and all things on board at the time of the commission of the offence, or used or employed in the commission thereof, to be sold at public auction for cash by the sheriff or constable seizing the same, after ten days' notice given publicly of the time, place, manner and terms of sale, set up at the courthouse door of said county; the proceeds of said sale, after paying the costs of proceedings had, shall go one-fourth to the sheriff or constable, one-fourth to the informer, and the remaining half to the county commissioners, for public road purposes.

*Sec. 2, ch. 97, 1900, repealed all laws inconsistent therewith.