

cause to be transported and may sell any Brook Trout or Bass and the spawn of Brook Trout or Bass, at any time; and common carriers may transport them, and dealers may sell them on condition that the packages thereof so transported are accompanied by a certificate from a justice of the peace, certifying that such trout or bass are sent by the owners or agents or parties so engaged in fish culture; and such person or company may take, in any way and at any time, upon the premises of any person, under permission of the owners thereof, brook trout or bass to be kept and used for artificial propagation only, and for no other purpose. Permits for propagation of trout and bass in a pond or ponds privately owned may be issued by the State Game Warden, free of cost, however the person propagating any of the game or fresh water fishes named in this Article must apply for a permit to transport or sell, barter or exchange any fish or fishes which may be so offered.

1929, ch. 471, sec. 67.

74. *Unlawful to Take Out of Frederick and Washington Counties Any Bass Bait, Etc.—Penalty.* It shall be unlawful for any person to sell and carry, send or ship, out of or from Frederick or Washington Counties, or sell or dispose of or furnish to any person for the purpose of taking the same out of or from Frederick or Washington Counties at any time, any live bass bait known as scale bait, stony cats or mad toms; the carrying, sending or shipping from or out of said Frederick or Washington Counties shall constitute prima facie evidence of the violation of this Article, and the burden of proof shall be upon the person so taking, carrying, sending or shipping any live bass bait known as scale bait, stony cats or mad toms, that the same are not sold or intended for sale, unless said bait were taken from the owners of enclosed ponds. Any person violating any of the provisions of this section shall upon conviction thereof before any justice of the peace in said Frederick or Washington Counties, be fined not less than \$10 nor more than \$50, and in default of the payment of the fine imposed and costs shall be sentenced to the county jail for not less than 10 days nor more than 60 days in the discretion of the justice of the peace.

1929, ch. 471, sec. 68.

75. *Protection of Fish Upon Their Natural Spawning Grounds—Penalty.* No person shall at any time wilfully molest or disturb, take or catch, destroy or kill any fresh water fish while they are upon their natural spawning beds. Nor shall any person catch or take, kill or destroy any of the fish mentioned by shutting off or drawing off any portion of the waters in Washington County. Any person violating any provision of this section shall, upon conviction before any justice of the peace of said county, forfeit and pay a fine of \$20 for each offense; and upon failure to pay said fine, together with the costs of prosecution, shall be committed to the jail of said county for a period of 20 days. This section shall not apply to the waters of the Chesapeake and Ohio or Mill Canals. Nothing in the above shall be construed to prohibit the Conservation Commission or its agents from taking such fish for propagation purposes.