

the Conservation Department its equivalent in money, the value thereof being determined at the market value of shells as of the first day of May following the close of the season. The Conservation Department shall notify each packer or canner on or before the first day of May whether it is its intention to take the ten per centum of the shells from oysters shucked as aforesaid, or its equivalent in money. Said license shall have effect from the first day of September in the year in which it may have been obtained until the twenty-fifth day of April, inclusive, next succeeding.

Act 1927, ch. 119, is constitutional. Interest to state and of individual in oysters and fish. License fees. Discretion in conservation department. *Leonard v. Earle*, 155 Md. 254.

Constitutionality of secs. 91 and 91A affirmed by U. S. Supreme Court. *Leonard v. Earle*, 279 U. S. 392.

1927, ch. 119, sec. 91A.

91A. All moneys derived from said license fee of twenty-five dollars shall be paid over to the Comptroller to be credited to the Conservation Fund, and one-half of the shells received by the Conservation Department shall be transplanted upon such natural beds or bars as may be reserved by the Conservation Commission as provided for elsewhere in this Article, and the other one-half of said shells shall be planted on such seed areas as may be set aside by the Conservation Commission for seed oysters. In case money is paid in lieu of the ten per cent of shells, the Conservation Commission shall convert same into shells or seed oysters to be transplanted in like manner.¹

See notes to sec. 91.

Comptroller's Duties.

An. Code, 1924, sec. 96. 1912, sec. 83. 1904, sec. 81. 1894, ch. 380, sec. 68.
1931, ch. 469.

96. It shall be the duty of the Comptroller to furnish the clerks of the several courts of the State with forms of applications and license and of the reports or returns required by the preceding sections; and it shall be the further duty of the Comptroller to furnish all other blanks required under this Article.²

Oyster Culture.

1933, ch. 302.

98A. It shall be unlawful to plant, cultivate, or introduce into any of the waters of the State any species of oyster whatever, except the species *Ostrea virginica*. Any person violating the provisions of this section shall

¹ Sec. 3 of ch. 119 of acts of 1927 repealed all laws inconsistent therewith to extent of such inconsistency.

² Sec. 2 of ch. 469, acts of 1931, provides: "That this act shall take effect upon the sale by the Board of Public Works of the first \$125,000.00 of the certificates of indebtedness authorized by the act of the General Assembly of 1931 creating the "Ocean City Inlet Loan of 1931."