

be deemed guilty of a misdemeanor, and shall, upon conviction, be subject to a fine of five hundred dollars (\$500.00) or imprisonment for not less than one year, or both.

It shall be the duty of the Conservation Commission to immediately seize, confiscate and remove any oysters planted or introduced in violation of this section.

1935, ch. 553.

98B. It shall be unlawful for any person to plant, import or transport any seed or merchantable oysters in the State of Maryland from another State, or from one locality to another in this State, or to introduce seed or merchantable oysters into any of the waters of this State, when the same are infected by (*Urosalpinx cinerea* Say), commonly known as the oyster drill or screw borer. It shall be the duty of the Conservation Commission to inspect all oysters imported into the State for the purpose of planting, and it is authorized to seize, condemn and destroy any infected oysters so found. The Conservation Commission is further authorized to seize, condemn and destroy any seed or merchantable oysters so infected wherever the same may be found, and to close infected areas and prevent the taking of oysters therefrom, so far as may be necessary to prevent the spread of said oyster drill.

111.

This section referred to in discussing meaning of term "citizen"—see notes to art. 25, sec. 143. *Fitzwater v. Hydro-Elec. Corp.*, 149 Md. 466.

An. Code, 1924, sec. 116. 1912, sec. 100. 1906, ch. 711, sec. 98. 1912, ch. 539, sec. 98. 1914, ch. 265, sec. 98. 1927, ch. 610.

116. After the survey or resurvey provided for herein shall have been completed, it shall be the duty of the Conservation Department to lease, in the name of the State of Maryland, tracts or parcels of land beneath the waters of this State, whether within the limits of the Counties or elsewhere, in the area to be opened for oyster culture, according to the provisions of this sub-title; provided, that no tract so leased, if situated within the territorial limits of any County in this State, shall contain less than one acre of land, and if situated in any other place, no tract so leased shall contain less than five acres. It shall be the duty of said Department to require that the tracts so leased shall be as nearly rectangular as is convenient. It shall be the duty of the said Department to demand from each lessee payment of the rent each year in advance. No person shall be permitted, by lease, assignment or in any other manner, to acquire a greater amount of land than thirty acres situated within the territorial limits of any of the Counties, or five hundred acres in any other place; provided, however, that an individual may acquire a tract not exceeding one hundred acres of land beneath the waters of Tangier Sound. Leases of such lands shall be made only to residents of Maryland. The term of such leases shall be twenty years, and the annual rent therefor shall be such sum as in the judgment of the Conservation Department is a proper one and commensurate with