

as aforesaid by and to the said A. B., then and there, wilfully and without authority from the said A. B., owner and lessee as aforesaid, did take and remove oysters from the oyster lot aforesaid (or did interfere with or injure the oysters thereon, or interfere with the stakes, etc., marking the said lot, or have overboard any dredge, scrape, pair of tongs or other implement for taking of oysters, as the case may be), knowing them to be planted and bedded oysters.

An. Code, 1924, sec. 147. 1912, sec. 123. 1910, ch. 424, sec. 121 (p. 216).

144. At any trial on such an indictment, or for any offense under or in violation of this sub-title, whereby it may become necessary to prove the Conservation Commission present with their records, nor shall it be necessary to have the surveyor present, but the said location may be proven either by the original or a certified copy of the lease thereof, and any plat of the said location made or certified to by the said Conservation Commission shall also be evidence of the said location of the said oyster lot.

An. Code, 1924, sec. 148. 1912, sec. 124. 1910, ch. 735, sec. 120 (p. 213).

145. It shall be the duty of the Conservation Commission to take such measures as in their judgment shall seem best calculated to increase the productivity of the natural oyster beds or bars of the State, and the expense of so doing shall be paid out of the natural oyster bed re-shelling fund, upon requisition made by the Conservation Commission, endorsed by the comptroller of the State.

This section, and secs. 146-149, if not void under the decision in *Foot v. Claggett*, 116 Md. 228, are rendered inoperative for all practical purposes by that decision. And see *Foot v. Stanley*, 117 Md. 337 (reversed in 58 L. Ed. 698).

An. Code, 1924, sec. 149. 1912, sec. 125. 1910, ch. 735, sec. 121 (p. 213).

146. For the purpose of performing the duties imposed upon the Conservation Commission by section 145, they shall employ a superintendent of natural oyster beds, at a salary of \$100.00 per month, beginning April 1st, and ending September 30th, payable monthly, and it shall be the duty of such superintendent, under the direction of the Conservation Commission, to give personal supervision to the work of re-shelling the natural oyster beds, done by the order of the Conservation Commission.

See notes to sec. 145.

An. Code, 1924, sec. 150. 1912, sec. 126. 1910, ch. 735, sec. 122 (p. 213).

147. The Conservation Commission shall purchase from the lowest responsible bidder, shall¹ at such places and in such quantities as they may need for the purpose of re-shelling the natural beds, and in inviting proposals for such shells they may prescribe that the shells shall be delivered to the superintendent of natural beds, or to his order, at some convenient place for the shipment of the said shells, or they may require that the said shells shall be delivered by the sellers thereof on such particular natural bed or beds as the Commission may then be engaged in re-shelling, and may require the seller of such shells to distribute them under the direction and control of the superintendent of natural beds. If they shall buy such shells to be delivered otherwise than on the natural

¹ Evidently this is a typographical error in the act, the word "shells" being intended.