

Ibid. s. 26.
Taking oysters
on Sunday or
at night.

25. It shall be unlawful for any person or persons licensed under any of the provisions of this article, to take or catch oysters on Sunday; or at night, that is to say, between sunset and sunrise, and any person or persons so offending, shall, upon conviction thereof, be fined a sum not less than fifty nor more than two hundred dollars, in the discretion of the justice or judge trying the same.

Ibid. s. 27.
All moneys to
be paid into
treasury.

26. All moneys arising from the sale of licenses or from fines, penalties and forfeitures, imposed under this article, shall, upon warrant of the comptroller, be paid into the treasury and placed to the credit of the oyster fund, and the comptroller is hereby required to state in his annual report, particularly, the receipts and expenditures, on account of said fund, and the balance standing to the credit of the state at the time of making such report.

Duty of comp-
troller.

Ibid. s. 28.
Owners of
shore to have
privilege, &c.

27. The owner or owners of any land bordering on any of the navigable waters of this state, the lines of which extend into and are covered by said waters, shall have the exclusive privilege of using the same for protecting, sowing, bedding or depositing oysters or other shell fish, within the lines of their own land, and any owner or owners of land, lying and bordering upon any of the waters of this state, shall have power to locate and appropriate in any of the waters adjoining his, her or their land, five acres for the purpose of protecting, preserving, depositing, bedding or sowing oysters or other shell fish, and that any other citizen of the state shall have power to locate and appropriate five acres in any waters in said state, not located or appropriated; *provided*, that ten days notice in writing shall be given the owner or owners, occupant or occupants of lands bordering on said water proposed to be located, that the owner or owners, occupant or occupants, may have priority of claim, and if they shall fail to locate or appropriate the water mentioned in said notice, within ten days after receiving the same, then it shall be open and free to any one under the provisions of this section; *provided*, also, that the

Proviso.

Owners to have
priority.

Proviso.