

27. All money arising from the sale of licenses, or from fines, penalties, or forfeitures imposed under this article, shall, by the comptroller, be paid into the treasury, and placed to the credit of the oyster fund, and the State's portions of such fines and forfeitures shall be paid by the sheriff or other officer collecting the same, to the clerk of the Circuit Court of the county where the same may accrue, and such clerk shall account for the same to the comptroller of the treasury in his annual return; and the commanding officer of the State Fishery Force is hereby charged with the enforcement of the provisions of this article; and the commissioners of the State Fishery Force are hereby constituted also commissioners of fisheries in the Potomac river.

Id sub-sec. 8
Proceeds from
sale of licenses,
etc., placed to
credit of the
oyster fund

Duty of Fishery
Force

28. It shall be unlawful hereafter for any person or persons to fish in the Potomac river from what are known as arks or lighters, or from any kind of vessel or float, by whatever name called, in or upon which such persons may live or may exclusively occupy, but all such fishing shall be with and from regular seine or gilling boats. Any violation of this section shall subject the offender or offenders, upon conviction thereof, to a fine of not less than twenty nor more than one hundred dollars for the first offence, and for any second or subsequent offence, to such fine, and also, in the discretion of the justice of the peace, or of the court before whom the offender may be convicted, to forfeiture of such ark, lighter, vessel or float, and fishing outfit, used in such violation thereof.

Id. sub-sec 9.
Fishing from
arks or lighters
prohibited

Penalty.

29. In case the State of Virginia shall adopt a law similar in its provisions to this act, citizens of either State, when arrested for the violation of the provisions of this article by the police force, or other officer of either State, shall be delivered up for trial to the police force, or other officer of the State of which the offender is a citizen, unless arrested for hindrance or disturbance of the fisheries on the shores of the other State, in violation of any of the provisions of this article, in which case he shall be tried in such other State, and in all questions of citizenship the burden of proof shall be on the offender.

Id sub-sec 10
Provisions in
case Virginia
shall adopt
similar law
9 Md 28, 12 Pet.
95, 2 Bl 125.

30. It shall not be lawful for any person, other than the owner or by the permission of the owner, to take or carry away from any shore of the Potomac river below Fort Washington which has been or may be used as a fishery, any sand, gravel, or other matter that may form part of said shore to the amount of twenty bushels or more, and if any person shall feloniously steal, take, and carry away from any shore of the Potomac river below Fort Washington, which has been or may be used as a fishery, any sand, gravel, or other matter that may form part of said shore to the amount of twenty bushels or more, such person shall be deemed guilty of larceny, and on conviction thereof in the Circuit Court of the county in which such larceny was committed, shall pay to the owner the full value thereof, and be sentenced to the Penitentiary for not less than one year nor more than five years.

1865, c 135.
Larceny, to
carry away
sand, etc., on
fishing shores of
Potomac below
Fort Washing-
ton.

How punished.