

by means of bushes, stakes or buoys, the said waters from which said oysters were taken or removed, and another person owned the oysters taken or removed therefrom, shall afford no defence to the accused.

1884, ch. 304.

**178.** If any person other than the owner or his employee shall be found working upon or among oysters laid down or planted in the waters of the said Synepuxent bay or its tributaries, in said county, staked off and kept plainly marked by means of bushes, stakes or buoys, or in the waters so staked off as provided for by section 175, and shall at the same time have in his possession oysters, the presumption shall be that said oysters were taken or removed by said person from the said waters of the said Synepuxent bay or its tributaries, staked off as aforesaid, where said person was found working, and the burden of proof shall rest upon such person to show that oysters found in his possession as aforesaid were not taken or removed from the said waters of the said Synepuxent bay or its tributaries, staked off as aforesaid, where such person was found working.

1876, ch. 277.

**179.** No person other than actual residents of the State shall catch clams or terrapins, or haul for or catch fish with any seine of any description, in the waters of Synepuxent bay or its tributaries within the limits of said county; and all persons violating any of the provisions of this section, upon indictment and conviction thereof, shall forfeit the boats and all seines and other instruments used in said violation, be fined not less than ten dollars, nor more than fifty dollars, for each offence, with costs, and be imprisoned until the same are paid; provided, that said imprisonment shall in no case continue more than thirty days.

1878, ch. 64.

**180.** It shall not be lawful for any person to haul or fish in any of the waters of Synepuxent bay or its tributaries, comprised within the limits of Worcester county, with any seine containing meshes less than one and a half inches square, unless said seine shall be less than one hundred fathoms in length.