

by his own oath or other sufficient proof that he is a citizen of said county, and shall pay to said clerk the sum of one dollar, to be paid by said clerk to the County Commissioners of Worcester county, to be expended in the procuring of seed oysters to be planted in said bay as the commissioners aforesaid may direct; but no person licensed as above, nor any other person, shall take or remove any oysters from the waters of said bay or its tributaries on any Sunday or in the night at any season, nor during the day from the first day of May to the first day of September, or any shells from the natural rocks at any time; provided that nothing herein shall be construed to forbid any person from taking or catching his or her own planted oysters at any time and with any kind of instrument, and any person violating any of the provisions of this section shall be guilty of a misdemeanor, and upon indictment and conviction therefor, shall be fined not less than ten nor more than fifty dollars for each offence, with costs.

Satisfy by  
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How con-  
strued.

SEC. 4. *And be it enacted*, That it shall be lawful for any citizen of Worcester county to stake off, not exceeding five acres in any one place in the waters of Synepuxent bay and its tributaries, except upon the natural rocks of said bay and its tributaries, and to plant and lay down oysters in said waters so staked off; and that no person except the owner of said planted or laid down oysters, or his employee, shall work upon or among said oysters, or in the waters so staked off; provided that, that portion of the said waters in which oysters are, or are intended to be planted or laid down not exceeding five acres in any one place, be kept plainly marked by means of bushes, stakes or buoys; and any person wilfully or maliciously removing said bushes, stakes or buoys, shall be liable to all the penalties of this section; and provided further, that nothing in this section shall affect the rights of owners of land to the exclusive use of any creek, cove or inlet within their said lands, not exceeding one hundred yards in width at its mouth; and any person violating the provisions of this section, or any of them, shall be liable to be sued as for damages to any other property, and also to indictment by the grand jury of said county, and upon conviction for any such violation shall be fined

Plant and  
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Marked by  
stakes, &c

Fine for vio-  
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