

such application the Custom House enrollment or license of such boat, and if such boat is under Custom House tonnage shall swear to her tonnage.

License to be exhibited.

SEC. 4. *And be it enacted*, That before granting such license the Comptroller shall receive for it from such applicant the sum of three dollars per ton for every ton the boat may measure; said license shall be exhibited whenever called for by any officer of the State Fishery force or any person having a right under the provisions of this act to make arrests and seizures for violating any of its provisions.

Depth of waters.

SEC. 5. *And be it enacted*, That no person or boat licensed under the provisions of this act shall take or catch, or be used in taking or catching oysters with scoop, dredge, drag or similar implement, in any waters of the Potomac River of less than twelve feet in depth, nor in any of the waters of said river between the Maryland shore and straight lines as follows: From the most eastern point of the headland known as Posey's Bluff, to a buoy near the southern or south-eastern point or prong of Herron Island Bar, thence to Blackistone's Island Light House, thence to a buoy near the end of Cobb Point Bar.

LIABLE TO ARREST.

SEC. 6. *And be it enacted*, That if any person or persons having been licensed under this act to catch oysters with scoop, dredge, drag or similar implement, in the waters of the Potomac River, shall violate the provisions of the preceding sections, such person or persons shall be liable to arrest, and the boats, vessels and equipments used shall be seized, and upon proof of such violation before a justice of the peace or a judge of the circuit court for the county nearest the place of such violation, on arrest and seizure shall be fined not less than fifty dollars nor more than three hundred dollars; and said fines and all costs of prosecution shall be a lien on the boats, vessels and equipments, which, if said fine and costs of prosecution be not paid within ten days after judgment, or appeal be not taken as hereinafter provided, shall be sold at public sale to the highest bidder for cash, under such orders and notice as the judge or justice aforesaid may prescribe: if said ar-

To be sold at public sale.