

## CHAPTER 353.

AN ACT to prohibit the catching or taking oysters with scoop, scrape, drag, dredge or any similar instrument in certain waters of Tangier sound, in Somerset county.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That it shall not be lawful for any person or persons to employ any boat or vessel in catching or taking oysters with scoop or scrape, drag or dredge, or any similar instrument in the waters of Tangier sound, in Somerset county, above or eastward of a straight line drawn from the dwelling-house of Thomas Tigner, near Hayne's point, to Clay island light-house; but nothing herein contained shall be construed to prohibit the catching of crabs. Unlawful.

SEC. 2. *And be it enacted,* That any person or persons violating any of the provisions of this act shall be fined in a sum not less than seventy-five dollars nor more than one hundred and fifty dollars for each and every offense, and shall stand committed to the county jail until such fine and costs shall be fully paid and satisfied. Fine.

SEC. 3. *And be it enacted,* That on information under oath of any violation of the provisions of this act to any justice of the peace for Somerset county, the said justices shall forthwith issue his warrant to the sheriff or any constable of said county, requiring the officer to whom the said writ shall be directed to summon a *posse comitatus* if necessary, and proceed at once to arrest the party or parties alleged to have been engaged in violating any of the provisions of this act, and forthwith bring the offender or offenders before some justice of the peace for Somerset county for a hearing, and if the party or parties accused or the State's attorney shall not claim a jury trial, it shall be the duty of the said justice of the peace to give the case an immediate hearing, or at the instance of the party or parties charged with a violation of this act, shall appoint some early day within the next seven days thereafter to hear the case, the party or parties charged, giving such good and sufficient bail as said justice shall require for his or their appearance at the trial, and on conviction of the offender or offenders the said justice shall fine such person or persons in a sum not less than seventy-five dollars nor more than one hundred and fifty dollars and costs in each and every case, and shall have power to commit to the jail of said county such offender or offenders so convicted until such fine or fines so imposed and cost shall be fully paid and satisfied, subject to an appeal in all cases to the circuit court for Somerset county, from any judgment or conviction which may be rendered by said justice of the peace. Posse comitatus.

SEC. 4. *And be it enacted,* That it shall be the duty of the sheriff, constable and officers of the State fishery force, to arrest any person or persons found violating any of the provisions of Arrest-