

numbers shall be placed in an upright position, and worn at all times during the dredging season, and returned at the end of the season, and shall not be concealed or defaced; and no other number shall be exposed to view or used, than that which is furnished by the comptroller; any person who shall violate the provisions of this section shall be deemed guilty of a misdemeanor as provided in section twenty-one A of this act; and in any such case, the boat or vessel shall be forfeited and condemned, in the discretion of the judge in the manner as provided in section ten. The provisions of this section shall apply to all boats licensed to take oysters with scrape or scoop by any county in this State, except, that the numbers for such boats shall be painted red instead of black, and the numbers shall be delivered by the comptroller to the clerks of the courts as they may be ordered, and at the end of the season all licenses not used, shall be returned by said clerks to the comptroller, and the said clerk shall also pay to the comptroller one-tenth of all moneys received by him for such licenses, which sum shall be placed to the credit of the "oyster fund."

Evidence

13. If any boat or vessel shall be seen sailing on any of the waters of this State which are exempted from dredging by law, in the same manner in which they sail or take or catch oysters with scoop, scrape, drag or dredge or similar instrument, the said boat or vessel shall be pursued by any officer authorized by this article to make arrests, and if said boat or vessel apprehended by said officer shall be found to have on board any wet oysters, or the dredges or dredge-line, or deck wet, indicating the taking of oysters at said time, and properly equipped for taking or catching oysters with scoop, scrape, drag or dredge, or similar instrument, such fact shall be *prima facie* evidence, that the said boat or vessel has been used in violation of sections one to forty-three inclusive; and it shall be the duty of the officer to arrest the person in command of said boat or vessel, and to seize the said boat or vessel, together with all her equipments, and bring the same before a judge, or a justice of the peace of the county having jurisdiction, or, if in the Chesapeake Bay, the county most accessible or convenient, to be dealt with according to law; provided, that nothing in this article shall be construed to prohibit vessels from seeking harbor in any waters of this State. The provisions of this section shall extend to all boats licensed to take oysters with scoop or scrape by any county of this State.

14. Any resident of this State desiring to catch or take oysters, with rakes or tongs, for sale, in any of the waters of this State, shall first obtain by application to the clerk