

taken. Whenever any oyster measuring less than three inches in length adheres so closely to a larger oyster as to render removal impossible without destroying the smaller oyster, then such oysters, including the larger oyster, shall be returned to the rock, bed, or shoal whence taken. All shells and all oysters measuring less than three inches in length, once passed the culler, shall be considered as not having been culled; and it shall be unlawful for any person to take, buy, sell, or have in possession, except under provisions of the following Sub-section, any shells or oysters taken from the Potomac River measuring less than three inches in length. Whenever any inspector or other officer shall have reason to believe that this Sub-section has been violated with respect to culling of oysters, such inspector or other officer is hereby authorized to examine the cargo, hold, bin, or lot of oysters, and if said oysters consist of five per cent (5%) or more of shells and of oysters whose shells measure less than three inches in length, the person in charge of such oysters shall be deemed guilty of violating the provisions of this Sub-section.

(g) (Removal of Seed Oysters from the Upper Potomac River.) It shall be lawful between the first day of January and the first day of May in every year for any citizen of the State of Maryland or of the Commonwealth of Virginia who has been granted a permit as hereinafter provided to buy from duly licensed tongers and to carry out of the Potomac River for the purpose of planting in the waters of Maryland or Virginia, seed oysters or oysters whose shells measure less than three inches from hinge to mouth, provided such oysters be caught above or upstream of a line pointing North Point at the mouth of Upper Machodoc Creek in the County of King George in Virginia to Lower Cedar Point in Charles County in Maryland.

(h) (Permits for the Removal of Seed Oysters from the Potomac River.) Any citizen of the State of Maryland or of the Commonwealth of Virginia wishing to purchase and carry seed oysters from the Upper Potomac River in accordance with the preceding Sub-section shall first obtain a permit for each boat to be used in carrying said oysters. Such person shall apply for such permit to any oyster inspector or other officer of the State or Commonwealth of which the applicant is a citizen. Said applicant shall state the name and tonnage (if registered in the customs house) of the boat for which a permit is sought, the name of the owner and master of said boat, and to what waters in Maryland or Virginia such cargo of oysters shall be carried. The applicant shall then take and subscribe to an oath before said officer that said boat shall not be used for carrying any cargo of oysters to any other