

demned; one-fourth of the proceeds of such sale shall be paid to the party making the capture, including the officers and crews of the fishery force, and the balance shall be paid into the treasury of the state to be credited to the oyster fund.

Disposition of proceeds.

SEC. 13. *And be it enacted*, That the fines accruing under this act shall be paid by the sheriff, constable or officers of the state fishery force collecting the same, within ten days, to the clerk of the county or city where such fine may accrue, and such clerk shall account for the same in his next quarterly return to the comptroller of the treasury to be placed to the credit of the oyster fund.

Fines paid to clerk.

SEC. 14. *And be it enacted*, That it shall be unlawful, without authority from the owner, for any person or persons to take or catch planted or bedded oysters, knowing them to be so planted or bedded. Any person or persons violating the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction in the circuit court for the county wherein the oysters were bedded, shall be fined not less than five dollars nor more than fifty dollars, or be sentenced to the House of Correction for a term of not less than three months nor more than three years, at the discretion of the judge or justice trying the same.

Unlawful to catch or take bedded oysters.

Penalty.

SEC. 15. *And be it enacted*, That it shall be unlawful for any person or persons to take or catch oysters, or to have oysters in possession between the fifteenth day of April, and the first day of September, in each and every year; provided, that if oysters are caught before the fifteenth day of April, they may be disposed of at any time before the twenty-fifth day of the same month; any person violating this section shall be deemed guilty of a misdemeanor, and fined by a justice of the peace of the county wherein the offense was committed, not less than fifty dollars, nor more than two hundred dollars, or imprisonment in the House of Correction for not less than three months nor more than three years.

When unlawful

Penalty.

SEC. 16. *And be it enacted*, That it shall be unlawful for any person or persons to take or catch oysters on Sunday or at night, at any time during any season, or to carry oysters, in the shell, between the fifteenth day of April and the first day of September, and any person or persons violating this section, shall be fined a sum of not less than fifty dollars, nor more than

When unlawful