

take or catch oysters with rakes or tongs shall be issued to any boat or vessel which is licensed to take or catch oysters with scoop, drag, dredge or any similar instrument.

SEC. 22. *And be it enacted*, That if any person shall use any canoe or boat not licensed, as required by the preceding sections of this article, in taking or catching oysters with rakes or tongs, he shall upon conviction thereof before a justice of the peace for the county wherein the offense has been committed, be fined not less than twenty nor more than one hundred dollars, and in case of refusing to pay the said fine, said party shall be confined in the House of Correction for a period of not less than three months nor more than three years, and in any such case the boat or vessel shall be forfeited, and may be condemned, in the discretion of the judge or justice of the peace, in the manner provided in section eleven of this act.

Penalty.

SEC. 23. *And be it enacted*, That all moneys arising from fines, penalties or forfeitures imposed under this article shall, upon warrant of the comptroller, be paid into the treasury and placed to the credit of the oyster fund, and the comptroller is hereby required to state in his annual report, particularly the receipts and expenditures, on account of said fund, the balance standing to the credit of the state at the time of making such report.

State report, receipts and expenditures.

SEC. 24. *And be it enacted*, That the owner or owners of any land bordering on any of the navigable waters of this state, the lines of which extend into and are covered by said waters, shall have the exclusive privilege of using the same for protecting, sowing, bedding or depositing oysters or other shell fish within the lines of their own land; and any owner or owners of land lying and bordering upon any of the waters of this state, shall have power to locate and appropriate, in any of the waters adjoining his, her or their lands, one lot of five acres for the purpose of protecting, preserving, depositing, bedding or sowing oysters or other shell fish, and that any other male citizen of full age of the state shall have power to locate and appropriate and hold one lot of five acres and no more, in any waters in said state not located or appropriated; provided thirty days notice in writing shall be given the owner or owners, occupant or occupants of land bordering on said waters

Exclusive privilege to owner.

Provided.