

162. It shall not be lawful for any dunnaged boat, canoe or vessel to be employed to catch oysters with scoop, scrape or dredges in the waters of Talbot county; and all timbers more than an average of five inches in depth used in the construction of said boat, to which her bottom is fastened, or any and all other materials used to make the average space between the ceiling and bottom planks over five and one-half inches, and all ceiling over two inches thick and any or all material used between ceiling and deck to decrease custom house tonnage, shall be considered dunnage; and the Commissioners for Talbot county shall, in August of each year, appoint some competent citizens of said county to examine all boats over seven gross tons, (custom house measurement), prior to the granting by said clerk of the circuit court for said county, to such boats of a license to catch oysters with scoop, scrape or dredge, and said examiner, as soon as notified and paid two dollars and traveling expenses, if any, by the managing owner of said boats, shall proceed to examine the same, and shall report without unnecessary delay, in writing, under oath, to said clerk, and his report shall be filed in the clerk's office; if the report states the boat contains dunnage, or contained dunnage when measured by the custom house measurer, and if the carrying capacity under decks is over four hundred bushels of oysters, it shall be prima facie evidence that the boat was dunnaged when measured by the custom house measurer, the said clerk shall not issue a license for said boat, to take or catch oysters with scoop, scrape and dredge, but the owner may remove all of the said dunnage and again have said boat remeasured by the custom house measurer, and again examined by the examiner, and if not over ten and one-half gross tons, and if all other requirements and conditions prescribed in sections 155 and 156 shall be complied with, the clerk shall issue a license for said boat.

Unlawful to
use dunnaged
boats.

Approved April 4, 1896.

CHAPTER 418.

AN ACT to repeal and re-enact with amendments, Sections twenty-one, twenty-two, thirty-six, forty, forty-eight and sixty-three, of Article seventy-two of the Code of Public General Laws, title "Oysters," as re-enacted by chapter 380 of the Acts of 1894.