

OHAP. 258
 Unlawful to
 have
 in possession,
 expose for
 sale, or buy
 certain kinds
 of fish.

78 c. No person shall have in possession, expose for sale, sell or buy any of the aforesaid, alive or dead, in the city of Baltimore or in any of the counties of this State during the aforesaid respective closed season, or dates, except white perch, between which it is made unlawful, by the preceding sections of this Act, to catch or kill the same, or at any time, of any size less than there is provided, whether such fish so had in possession, exposed for sale, sold or bought, shall have been caught, trapped or in any other manner taken or killed in that county or in any other county of this State, or in any other State, Territory or county, under a penalty for having in possession, exposing for sale, selling or buying of each such fish, similar in amount respectively to that hereinbefore made and provided for the illegal catching of the same; but nothing in this section contained shall be so construed as to prevent any of the Fish Commissioners of this State, in pursuance of their capacity as fish culturists, or any other person or corporation which shall first obtain a certificate in writing from the State game warden, to the effect that such persons or corporations is engaged in the scientific culture or propagation of fish, from having in his or its possession alive at any time, any fish for the purpose of said scientific culture or propagation only, and to obtain such certificate said persons or corporations must file with the State game warden an application and affidavit to the truth and *bona fides* thereof, made by the person or officer of the corporation requesting the same, and taken before any officer competent to administer an oath in this State; and said affidavit and application shall be retained and kept on file by said State game warden, but the possession of any of the aforesaid fish during any of the aforesaid closed seasons or dates between which it is hereinbefore made unlawful to catch or trap the same, or any size less than lawful size, shall in every instance be *prima facie* evidence of unlawful purpose or streams in the State of Maryland.

Repeal.

SEC. 2. That all Acts or parts of Acts, and all sections and parts of sections of the Code, both of General and Local Laws, and all amendments of and additions and supplements thereto, now in force in the State of Maryland, inconsistent with the provisions of this Act, with the exception only of chapter 427 of the Acts of the General Assembly of Maryland, passed at the Session of 1896, be and the same are hereby repealed; provided, that nothing in this Act shall apply to Frederick, Baltimore, Howard, Cecil, Kent, Queen Anne's, Harford, St. Mary's, Wicomico, Charles, Talbot, Worcester, Calvert or Somerset counties.