

survey, locate or appropriate any grassy bottoms, suitable for the catching of soft shell or shedder crabs within the limits of Somerset county, under the waters of said county; and bottoms suitable for the catching of soft shell or shedder crabs shall be construed to mean those bottoms to which persons have been accustomed to resort for the purpose of catching such crabs, and where such crabs may be caught in sufficient quantities to be profitable to persons catching soft or shedder crabs for a livelihood; and any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction before a justice of the peace or the Circuit Court for Somerset county, shall be sentenced to pay a fine of not less than \$50 nor more than \$100 for each and every offence, and stand committed to the county jail until fine and costs are paid.

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Unlawful to survey, etc., grassy bottoms under waters of said county.

SEC. 2. *And be it enacted*, That after the passage of this Act it shall be unlawful for any person to hold any grassy bottoms under the waters of Somerset county, heretofore located, suitable for the catching of soft shell or shedder crabs as aforesaid, unless said bottoms have already been improved by the planting of shells or seed oysters thereon; and all grassy bottoms, suitable for the catching of soft and shedder crabs, as defined in Section 1 of this Act, shall be forfeited and surrendered to the public use, in all cases where seed oysters or shells have not been planted on such bottoms; and in respect to bottoms located before the passage of this Act, whereon no seed oysters or shells have been planted, wherever any citizen of Somerset county shall appear before any justice of the peace for said county, and make oath that any person is attempting to hold in his possession any such bottoms, suitable for the catching of soft or shedder crabs, contrary to the provisions of this section, it shall be the duty of said justice to issue a writ for such person, directed to the sheriff of Somerset county, charging such person with a violation of the provisions of this section; and if after trial the said justice shall find such party guilty of a violation of the provisions of this section, it shall be the duty of the said justice to declare such oyster lot forfeited, and to impose the costs of the prosecution in each case where the lot may be forfeited upon the defendant; provided, that an appeal may be taken in all such cases from the judgment of said justice of the peace to the Circuit

Unlawful to hold grassy bottoms, etc.