

above penalties the justice of the peace or judge may, in a case where the violator has been previously convicted of violating the provisions of this sub-title, suspend or revoke the license under which said violator may be operating for the purpose of catching, shucking, packing or canning oysters. In case there is an appeal or waiver of trial before Justice of the Peace, in order to provide for the disposition of any oysters that have been declared unmerchantable, the cargo of oysters shall remain in the possession or custody of the Deputy Commander, Inspector or other officer making the arrest until the captain of the boat or vessel or the packer shall have reculled the oysters in question; and the officer under whose supervision the re-culling is done, after ascertaining the quantity of unmerchantable oysters and shells so culled out, shall give the captain or other person in charge of said vessel or packing house, a certificate showing the number of bushels of such unmerchantable oysters and the said captain or other person shall return said unmerchantable oysters so culled out to the natural beds or bars under the supervision of the officer. The cost of re-culling and expenses incident to same shall be borne by the violator.

SEC. 15. Any packer, commission man, boatman or other person who shall conspire or agree with any other person to evade any of the provisions of this article, or who shall connive at or participate in such violation shall be guilty of a misdemeanor. It shall be unlawful for any captain or other person in charge of a vessel to discharge his oysters, or for any packing house or any other person to receive oysters between the hours of one hour after sunset and one hour before sunrise. Any violation of this section shall be a misdemeanor punishable by a fine of not less than one hundred dollars and not more than five hundred dollars for each offense on conviction before a court of competent jurisdiction; one-half of said fine to go to the informer and the other one-half to the comptroller to be placed to the credit of the oyster fund, unless the informer be an officer of the state fishery force. And the general inspectors and measurers or special inspectors shall be on duty continuously during the working or delivery hours, viz: from one hour before sunrise to one hour after sunset.

SEC. 2. *And be it further enacted,* That all laws or parts of laws of the State of Maryland, general or local, inconsistent with the provisions of this act, be and the same are hereby repealed to the extent of such inconsistency.

Approved April 5, 1927.