

CHAPTER 100.

AN ACT to repeal and re-enact with amendments, Section 5 of Article 72 of the Annotated Code of Maryland (1935 Supplement), title "Oysters," sub-title "Tonging," and Section 23 of said Article, sub-title "Dredging," providing that certain license fees shall not be considered to be in default until after lapse of thirty days from due date.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 5 of Article 72 of the Annotated Code of Maryland (1935 Supplement), title "Oysters," sub-title "Tonging," and Section 23 of said Article, sub-title "Dredging," be and they are hereby repealed and re-enacted, with amendments, to read as follows:

5. If any person shall take oysters with rakes or tongs, for sale, without first having obtained a license as required by the preceding sections of this Article, 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 stand committed to the county jail till all costs and fines are paid. Provided, however, that no person shall be deemed to be in default under the provisions of this Section until the lapse of thirty days from the date on which he shall be required to obtain such license. It shall be unlawful for any person taking oysters with rakes or tongs, for sale or otherwise, to use or have in his possession on any motor boat, any scrape, dredge or other device, and the possession of any such scrape, dredge or other device on any motor boat which may be used in the taking and catching of oysters, shall, and is hereby declared to be a misdemeanor, and the party upon conviction thereof before a Justice of the Peace for the county wherein the offense or violation occurred, or has been committed, shall be fined not less than the sum of Two Hundred dollars nor more than Five Hundred dollars, or shall be sentenced to confinement in the House of Correction for a term of not less than six months; and in any such case the boat or vessel used by him shall be forfeited, and may be condemned, in the discretion of the judge or justice of the peace, in the manner provided in Section 31. All persons taking or catching oysters under the provisions of this Article shall exhibit their authority for so doing when required by any oyster police force, or other officers of the State.