

CHAPTER 292.

Passed
Mar. 10, 1854

AN ACT for the further protection of Oysters in this State.

Unlawful for
non-residents
of the State to
catch oysters.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That from and after the first day of April next, it shall not be lawful for any person or persons other than citizens of the State of Maryland, to take, carry away, or otherwise destroy any oysters within two miles of the shore of any of the waters of this State; *Provided, however,* that nothing herein contained, shall be construed to prevent citizens of other States from taking and carrying away oysters that they may have legally purchased from citizens of this State.

Proviso.

Fine and for-
feiture.

SEC. 2. *And be it enacted,* That for every offence committed against the provisions of this act, the offender upon proof adduced before a justice of the peace of this State, and upon conviction thereof, shall be subject to a fine of not less than five dollars, or more than fifty dollars, to be levied upon the body, goods and chattles of the said offender, and the said justice shall adjudge and condemn as forfeited the boat or vessel in possession of the party so offending, together with her papers, furniture, tackel and apparel and all things on board of her at the time of her seizure, and shall sell the same to the highest bidder after ten days notice; *Provided,* that no property shall be seized, and no person arrested for a violation of the provisions of this act, unless upon a warrant issued by some justice of the State, upon the oath or affirmation of some citizen thereof.

Power to ar-
rest.

SEC. 3. *And be it enacted,* That the sheriffs of the several counties bordering on the said waters, and all constables and civil and military officers therein, shall have full power to make arrests in accordance with the provisions of this act for the violation thereof.