

the body of any county thereof', the law is quite clear that the offender should be tried in the county where he is arrested or into which he may first be brought, regardless of where he is arrested.

"Existing Section 665 of Article 66C consists of thirteen sub-sections lettered from (a) to (m). Sub-section (a) (1) deals with jurisdiction of prosecution of offenders. Sub-section (a) (2) and the remaining sub-sections provide the penalties for most types of violations of the conservation laws, except that sub-section (1) provides for the collection of unpaid taxes on oysters and the seizure of boats and other vehicles of delinquents.

"The title of Senate Bill No. 101 provides that *Section 665*—not a sub-section thereof—is repealed and re-enacted. Section 1, of the Act, likewise repeals and re-enacts, with amendments, 'Section 665 of Article 66C'. When we examine the body of the Act to see how *Section 665* is re-enacted, it is found that *only a part* of the Section as it formerly stood has been re-enacted—namely, sub-section (a) (1). This would in some cases be of small consequence but if the section stands amended as set out in the Act, the effect thereof will be to *repeal the many penalty provisions in Section 665 covering violations of the conservation laws*. If the General Assembly did not intend to repeal the remaining sub-sections of Section 665, nonetheless since the title to the Act and the enacting section thereof are in accord, there is serious question of the intent. Both state that *Section 665* is repealed and re-enacted, with amendments, to 'read as follows'. It is the duty of the General Assembly, when amending 'any article or section' of the Code to enact the same as the article or section would read when amended. Article 3, Section 29, Maryland Constitution. The title here is misleading if it was the intention merely to amend sub-section (a) (1) of Section 665.

"The title is further misleading since it is stated that Section 675 of Article 27 shall have no application to *Section 665* of Article 66C. In other words, when the title is read, the reader is left with the impression that the *whole* of Section 665 is affected.

"The worst feature of the Act is that it creates a vacuum, a place where no court could have jurisdiction over an offender of the conservation statutes. We refer to this sentence—'If the said violation occurred in any waters adjacent to and contiguous with any tidewater county, the courts having jurisdiction in the county where the violation occurred shall have jurisdiction'.

"If a violation should occur in waters *adjacent* to a tidewater county, where would such waters be? *Adjacent* is synonymous with *contiguous*; both mean adjoining or neighboring. In other words, the offense might occur in the neighboring waters, not in a county, but in the Chesapeake Bay or other body of water outside the boundaries of any county. Therefore, since the violation would not have occurred in any county and since Section 675 excepts Section 665 from the application of its provisions, there would be serious question as to whether any court has jurisdiction. The statute, as it would be amended by Senate Bill No. 101, does not simply say that if any violation occurs *in the waters of any county*, the courts having jurisdiction of the county where the offense occurs shall have jurisdiction.

"We feel impelled to point out one other result, if Senate Bill No. 101 should be approved and be held valid. If a violator on the Chesapeake Bay were charged with (a) a violation of the conservation laws and (b) assault upon the arresting officer, presumably offense