

CHAP. 24. peace, to be proceeded against in the manner herein before directed.

Penalty for carrying oysters out of the state

4. *And be it enacted*, That it shall not be lawful for any person or persons who hath or have not resided within this state twelve months previously thereto, to carry oysters out of this state, and if any master or skipper of a vessel, who has not resided within this state twelve months previous thereto, shall hereafter transport any quantity of oysters taken from any place within this state to any place beyond the limits thereof, every such master or skipper shall forfeit and pay one hundred dollars for every such offence, to be recovered in any court of record by any person who will sue for the same. In all actions which shall be brought against any master or skipper of any vessel in pursuance of this act, such master or skipper shall be required to give appearance bail, provided the plaintiff shall make affidavit before a justice of the peace of the cause of such action, to be transmitted to the clerk of the court wherein the suit shall be prosecuted. Whosoever any person shall make affidavit that he has good cause to believe that any master or skipper of a vessel not resident as aforesaid, has received on board such vessel, oysters for the purpose of transporting them out of this state, contrary to the provisions of this act, it shall be lawful for the justice of the peace before whom such affidavit shall be made, and within whose jurisdiction such vessel may be, to issue his warrant for the immediate apprehension of such master or skipper, and for bringing him before such justice of the peace, or before any other justice of the same county, and the justice before whom such person shall be brought, upon hearing such evidence as may be adduced before him, if there be no good cause to believe that the violation of the provisions of this act is intended, shall discharge from further custody such master or skipper, but, if it shall appear to such justice, that there is good cause to believe that a violation of the provisions of this act is intended by such master or skipper, then it shall be the duty of such justice to commit such master or skipper to the gaol of the county wherein such justice resides, unless he shall enter into recognizance, with sufficient security, in a sum not exceeding one hundred dollars, upon condition, to appear at the next court to be held in such county, and to abide and perform such order or orders as shall be made by the said court, if upon all the circumstances of the case the court shall adjudge that there is good cause to believe that such master or skipper is about to violate the provisions of this act, by transporting oysters out of this state, the said court shall require of such master or skipper to enter into recognizance, with sufficient security, in a sum not exceeding one hundred dollars, upon condition, that such master or skipper shall not, within one year thereafter, be guilty of the violations of this act.

Penalty on persons not residents putting oysters on board any vessel, &c.

5. *And be it enacted*, That no person who has not previously resided twelve months in this state, shall gather or catch oysters, in any of the bays, rivers, creeks or waters of this state, and put them on board of any canoe, boat, scow, flat, or other vessel, not wholly belonging to and owned by some person or persons who hath or have resided twelve months in this state, previously to such oysters being so put on board of such canoe, boat, scow,

flat or vessel, scow, flat or tackle, furnished.

6. *And be it enacted*, That no person shall cure any such oysters, without the justice of the peace of the bays, rivers, creeks, or waters, where such oysters have been made, at such time as shall be appointed by the same, if any such oysters, being sold, shall be found to be sold in violation of this act, the justice of the peace, who authorized the sale, shall be liable for the use of such oysters, and for the costs of seizure and sale.

7. *And be it enacted*, That no person shall refuse to receive, or to deliver, any such oysters, in the hands of the justice of the peace, or of the clerk of the court, or of the sheriff of the county, or of the collector of the county, or of the collector of the waters of the county, or of the collector of the common territory, or of the collector of the oysters, or of the collector thereof, from any person, provided also, that the provisions of this act shall be construed as to the District of Columbia, as fully and as effectually as the law to do.

8. *Be it enacted*, That no person shall receive, or deliver, any such oysters, from and after

An Act authorizing the Lottery and the Lottery Act, entitled, An Act for the Relief of Robert Baldwin, Fairman and Books, Maps

*Be it enacted*, That no person shall and make, or sell and deliver, any such oysters, provided every person who shall be provided by the clerk of the lottery, before the first day of January, within this state, for their purpose