

(F) ALL OYSTERS TAKEN FROM THE NATURAL ROCKS, BEDS OR SHOALS OF THE POTOMAC RIVER SHALL BE CULLED AT THE POINT WHERE TAKEN, AND ALL OYSTERS WHOSE SHELLS MEASURE LESS THAN THREE INCHES IN LENGTH, MEASURED FROM HINGE TO MOUTH, WHETHER ATTACHED TO A LARGER OYSTER OR NOT, SHALL BE RETURNED, TOGETHER WITH ALL EMPTY SHELLS, TO THE NATURAL ROCK, BED OR SHOAL WHENCE TAKEN. WHENEVER ANY OYSTER MEASURING LESS THAN THREE INCHES IN LENGTH ADHERES SO CLOSELY TO A LARGER OYSTER AS TO RENDER REMOVAL IMPOSSIBLE WITHOUT DESTROYING THE SMALLER OYSTER, THEN SUCH OYSTERS, INCLUDING THE LARGER OYSTER, SHALL BE RETURNED TO THE ROCK, BED OR SHOAL WHENCE TAKEN. ALL SHELLS AND ALL OYSTERS MEASURING LESS THAN THREE INCHES IN LENGTH, ONCE PASSED THE CULLER, SHALL BE CONSIDERED AS NOT HAVING BEEN CULLED; AND IT SHALL BE UNLAWFUL FOR ANY PERSON TO TAKE, BUY, SELL OR HAVE IN POSSESSION, ANY SHELLS OR OYSTERS TAKEN FROM THE POTOMAC RIVER MEASURING LESS THAN THREE INCHES IN LENGTH. WHENEVER ANY INSPECTOR OR OTHER OFFICER SHALL HAVE REASON TO BELIEVE THAT THIS SUB-SECTION HAS BEEN VIOLATED WITH RESPECT TO CULLING OF OYSTERS, SUCH INSPECTOR OR OTHER OFFICER IS HEREBY AUTHORIZED TO EXAMINE THE CARGO, HOLD, BIN, OR LOT OF OYSTERS, AND IF SAID OYSTERS CONSIST OF FIVE PER CENT (5%) OR MORE OF SHELLS AND OF OYSTERS WHOSE SHELLS MEASURE LESS THAN THREE INCHES IN LENGTH, THE PERSON IN CHARGE OF SUCH OYSTERS SHALL BE DEEMED GUILTY OF VIOLATING THE PROVISIONS OF THIS SUB-SECTION.

(n) Penalties. Any person found guilty of violating any of the provisions of this section shall be deemed guilty of a misdemeanor and shall be punished in the manner herein described, to wit:

1. Any person found guilty of violating Sub-section (a) shall be subject to a fine of Five Hundred Dollars (\$500), and in addition to such fine, any vessel with its equipment and cargo, and any gear or appliance used in such violation shall be forfeited to the State [or Commonwealth wherein the conviction occurred,] of Maryland and shall be disposed of in any manner ordered by said State [or Commonwealth].

2. Any person found guilty of violating any of the provisions of Sub-sections (b) and (c) shall be subject to the penalties of [the] this State [or Commonwealth of which he is a citizen] for taking or catching fish, oysters, or crabs without a license.

3. Any person found guilty of violating Sub-section (d) of this section shall be confined to the penitentiary for not less than one year nor more than three years, or fined not less than One Hundred Dollars (\$100) nor more than One Thousand Dollars (\$1,000), or both imprisoned and fined, at the discretion of the court or jury trying the case. In any prosecution against the master or commander of a boat or any of his crew, or any person on board thereof, proof that such a boat was equipped with scoop, scrape, dredge,