

700.

11(i) Any person granted a tonging license in the manner described in the preceding subsections shall be entitled to take or catch oysters with tongs and patent tongs, subject to all existing restrictions with regard to the areas in which the use of said patent tongs is prohibited, during the season for taking oysters as follows: In the waters of the county wherein such license is granted; and in the waters of the Chesapeake Bay, except that all waters within one and one-half miles of Sandy Point, Hackett's Point, Tolly's Point, Thomas' Point, Three Sisters Bar and Holland's Point Bar shall be considered within the limits of Anne Arundel County; and the oyster bars of Entrance Lump, White Marsh, Gum Springs, Hunting Field, Windmill Flats, Muddy Drain, Swan Point and Lighthouse Lump shall be considered to lie within the limits of Kent County; and Hickory Thicket Bar shall be used in common by the tongers of Kent and Queen Anne's counties. In the waters of the Potomac River and its tributaries oysters may be taken with tongs only, but no oysters shall be taken with patent tongs **11, AT ANY POINT ABOVE A LINE BETWEEN DRUM POINT AND HOGS POINT 11.**

No licensed tonger shall take or catch oysters in the waters of any county other than that in which the license was issued, except, however, that duly licensed tongers of Queen Anne's and Kent counties may use the waters of the Chester River in common; tongers of Dorchester and Wicomico counties may use the Nanticoke River in common; tongers of Calvert, Charles, and St. Mary's counties may use the waters of the Patuxent River in common, tongers of Queen Anne's and Talbot counties may use the south branch of the Wye River and the mouth thereof in common; tongers of Dorchester and Talbot counties, and the fourth election district of Caroline County, may use the Choptank River in common, except as restricted in subsection (j) of this section. 11

(k) Patent tonging in certain waters prohibited.

(1) It shall be unlawful to use or employ any patent tongs to take or catch oysters in any of the following waters: Wicomico, Queen Anne's, Talbot, Dorchester and Kent counties, except on Swann Point Bar, White Marsh, Gum Spring, under the bar and Lighthouse Lump, and except that on Hickory Thicket Bar the Department of Tidewater Fisheries may, in its discretion, open or close this bar for patent tonging; or in the Patuxent River above and north of a straight line joining Sotterly Wharf and St. Leonards Beacon; or in the tributaries of the Potomac River in St. Mary's County.

(2) IT SHALL BE UNLAWFUL TO USE OR EMPLOY ANY PATENT TONGS, TO TAKE OR CATCH OYSTERS LYING IN DEPTHS OF LESS THAN TWENTY (20) FEET IN THAT AREA OF THE PATUXENT RIVER BOUNDED ON THE NORTH BY A STRAIGHT LINE JOINING SOTTERLY WHARF AND ST. LEONARDS BEACON, AND ON THE SOUTH BY A STRAIGHT LINE JOINING DRUM POINT AND HOGS POINT. THE SECRETARY OF NATURAL RESOURCES IS AUTHORIZED TO ADOPT SPECIAL REGULATIONS GOVERNING THE USE OF PATENT TONGS EMPLOYED UNDER THE PROVISION OF THIS SUBSECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1973.

Approved May 24, 1973.
