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The Kent News:

PUBLISHED WEEKLY, AT
CHESTERTOWN, KENT COUNTY, MD.
Office in the Masonic Hall.

Jas. H. Plummer & Wm. B. Usilton,
EDITORS AND PROPRIETORS.

TERMS OF SUBSCRIPTION:—Two Dollars per annum, *payable in advance*. If not paid within six months from the time of subscribing, Two Dollars and Fifty Cents will be charged.

RATES OF ADVERTISING:—Advertisements not exceeding *eight lines* will be inserted three times for One Dollar, and twenty-five cents for each subsequent insertion. OBITUARIES half price.

Job Printing, of every description, executed with neatness and despatch.

The Kent News.

A FAMILY NEWSPAPER: Devoted to Literature, Agriculture, Politics, General News, and Advertising.

VOL. 29. CHESTERTOWN, SATURDAY, MAY 16, 1868. No. 3.

RAIL ROAD NOTICE.

THE Stockholders of the KENT COUNTY RAILROAD COMPANY are hereby notified that an instalment of FIVE DOLLARS PER SHARE OF STOCK has been called for by resolution of the Board of Directors of said Company; payable on or before the

20th day of May next.

It is all important to the success of the road that this call should meet with a prompt response from every stockholder, as the road will surely be under contract in less than ten days.

It is stated with regret, that there has been some delay on the part of certain stockholders in responding to the calls heretofore made for instalments of stock, while by others such calls have been wholly neglected. The reason generally assigned for such delay or neglect has been, that there was no assurance that a Rail Road in Kent county would ever become an established fact. That reason can no longer avail; and we hope hereafter there will be no more delinquencies.

Stockholders who have neglected to respond to previous calls have thereby forfeited their stock to the Company, and made themselves liable for its par value, but the Board of Directors, by resolution, have determined not to treat such stock as forfeited to the Company, and take at once legal measures to enforce speedy payment of its par value, provided, all the arrears on such stock are paid on or before the 20th day of May next.

RICHARD HYNSON,
Treasurer and Sec'y

Chestertown, April 11, 1868—6t

Road Notice.

THE undersigned citizens of Kent county hereby give notice that, thirty days after the date of this notice, they intend to petition the Commissioners of said county to widen and improve the road now used by the public, commencing at the public road leading from Massey's Cross Roads to Sassafras, near the residence of D. C. Blackiston, Esq., and running thence through the lands of Messrs. D. C. Blackiston, Joseph Morris, Mrs. S. A. Morris, Mrs. Naudain's heirs, William Cummins and others, to the Delaware line.

Wm. Cummins,	Wm. J. Griffith,
Joseph Morris,	Alexander Wilson,
S. H. Blackiston,	William Casey,
C. H. B. Massey,	Samuel Casey,
Fredus Vansant,	Wm. Casey, Jr.,
Ira Vansant,	N. T. Meginniss,
Sarah A. Morris,	Stephen Boyer,
Wm. T. Morris,	G. H. J. Sparks,
Thos. A. Jacobs,	T. N. Tayman,
Simon W. Boyer, Jr.,	E. Shepherd Morris,
G. H. Brice,	R. B. M. Massey,
W. C. Meginniss,	William Boyer.
Jonathan Hodgson,	

April 18, 1868—5t.

Road Notice.

THE undersigned hereby give notice that, thirty days after the date of this notice, they intend to apply to the Hon. Commissioners for Kent county to widen and improve the road running from Swan Creek School House to Humphries' Point, beginning at the road gate of the Dale farm, and running down to the property known as Humphries' Point.

Howard Meeks,	Wm. P. Francis,
John Downey,	James M. Ayres,
Richard Hynson,	F. R. Rouse,
L. M. Ricaud,	S. G. Copper,
Abel J. Rees,	James Scoone,
D. R. Derrickson,	T. S. Holton.

April 25, 1868—5t.

Spring & Summer Importation 1868.

RIBBONS,
MILLINERY and STRAW GOODS.

ARMSTRONG, CATOR & CO.,

IMPORTERS and Jobbers of BONNET, TRIMMING and VELVET RIBBONS,
BONNET SILKS, SATINS AND VELVETS,
Blonds, Netts, Crapes, Ruches, Flowers, Feathers, Ornaments.
STRAW BONNETS AND LADIES' HATS. Trimmed and untrimmed.
SHAKER HOODS, &c.
237 and 239 Baltimore Street, BALTIMORE
Offer the largest Stock to be found in this Country, and unequalled in choice variety and cheapness, comprising the latest Parisian novelties. Orders solicited, and prompt attention given. mr28-2m*

New Store Up Town!
AT THE OLD DUGAN STAND,

WHERE we have opened a carefully selected Stock of NEW GOODS, to the examination of which we invite our friends and the public generally. Our stock consists of

DRY GOODS,
Notions, Boots & Shoes,
GROCERIES, HARD-WARE, Queens-Ware; Cedar-Ware, Confectionary, Tobacco,
fact almost everything that we thought would be needed, all of which has been bought for the cash, at lowest cash rates, and we offer for sale at small profits for cash or Country Produce. In a word, we do not intend or expect to be undersold by any.
d21. WM. W. PARKS & SON.

A NEW COAL & WOOD YARD,
IN CHESTERTOWN.

BELIEVING there is an opening for another COAL and WOOD YARD in Chestertown, I would respectfully inform the public that I will open a

Coal and Wood Yard

on Bridge Street, where the public may be supplied at short notice, with

ALL KINDS OF WOOD

OF ANY LENGTH, as I shall saw and split by Machinery. All orders left at my store will be promptly filled. R. P. STEWART.

WOOD WANTED.

FARMERS may find a ready sale for WOOD by calling on R. P. STEWART.
Chestertown, Feb. 29, 1868.

BOOTS, SHOES, Gaiters.
A NEW STOCK
JUST OPENED AT
COLLINS' BOOT & SHOE STORE.

JOHN W. COLLINS has just returned from the city with a new and fine assortment of BOOTS, SHOES, &c., which cannot fail to please purchasers. He calls especial attention to his goods for

Ladies and Children's Wear,
AND GENTS' FINE WORK.
Side-lace, Front-lace, Button and Congress GAITERS for Ladies, Misses and Children. Gents' fine Calf-skin Sewed Boots and Gaiters, English Walking Shoes, Slippers, &c.
Coarse Boots and Shoes of all kinds.
Also, a large assortment of
Children's Shoes,
of every description, to which the attention of parents is invited. Call and see.
Sept. 21, 1867.

VALUABLE
Town Property, &c.
FOR SALE.

THE subscriber offers at Private Sale all or part of his Town Property, beautifully located on High Street and elsewhere, with good Gardens attached, consisting of

Eight Dwellings,

all in good order, and most of them recently built.

Further description is deemed unnecessary, as parties wishing to purchase will examine for themselves.

Ladies residing in the country and wishing to remove to town for the education of their children, have now a rare opportunity to secure a good dwelling.

I will also sell

Four Houses and Lots

at the village of BELL AIR, one of them a beautiful residence, with TEN ACRES of land attached, in a high state of cultivation, and all the necessary out-buildings, and a pump of excellent water. Also,

Twenty Acres of Land

near Crawford's Mill, called "Godwin's Delight," in a high state of cultivation, with a comfortable Dwelling, new Barn, and other out-buildings.

Any of the above property remaining unsold on the first of October next will then be offered at public sale. Titles indisputable.

Terms—one-half cash, and reasonable credit for the balance.

For further particulars enquire of the undersigned at Bell Air.

RICHARD SMYTH.

May 2, 1868—3t.

Land for Sale.

THE subscriber offers at Private Sale about THIRTEEN ACRES OF LAND in Queen Anne's county, Md., lying on Chester River, directly opposite Chestertown.

The Buildings

are a good Frame Dwelling, one story and a half, two rooms below and two above, and Kitchen; also a Tenant House, Barn and Stable. Between five and six hundred Peach Trees and thirty or forty Apple Trees of choice varieties are now on the land, in good bearing condition. There is a Spring of excellent water near the dwelling.

The land is specially adapted to Trucking and Fruit Growing. To persons wishing to engage in that business a rare opportunity is presented for making a good bargain.

The following terms are preferred but may be modified: One-half of the purchase money cash or in sixty days, and the balance in two equal instalments of one and two years, with interest from the day of sale, secured by mortgage on the land or by bond with security.

For further information consult Hon. George Vickers or John O. Slay, Esq., my Attorneys, at Chestertown, Md.

JAMES SHUSTER.

April 11, 1868—tf.

PRESSEY'S PIONEER
STUMP PULLER,
AND ROCK LIFTER.

THE undersigned having purchased the Right to manufacture and sell in Kent county, G. W. Pressey's PIONEER STUMP PULLER AND ROCK LIFTER, is prepared to fill orders for the same. This machine has been tested in the presence of many citizens of this county, who were fully convinced that it would do all its inventor claimed. They are manufactured in two sizes—large size $120, small $60.

All orders addressed to WM. H. LECATES, or STEPHEN LECATES, at Chestertown, will receive prompt attention.

apr18-3m. WM. H. LECATES.

Carriages, Carriages, Carriages!

GEORGE W. WILLIAMS & CO.,
SUCCESSORS TO MEDDERS & SUTTON,

ARE now prepared BUILD TO ORDER

First Class Carriages
OF ALL DESCRIPTIONS.

TRIMMING, PAINTING and all kinds of Repairs, neatly and promptly done.

They are also prepared to do all kinds of

Wheelwrighting and Blacksmithing

in the best manner at short notice. We guarantee our work to give satisfaction, and do it at reduced rates.

We respectfully ask a share of your patronage, believing we will be mutually benefited.

GEO. W. WILLIAMS & CO.

GALENA, March 21, 1868—3m.

NEW BOUNTIES.
United States Bounties.
State of Maryland Bounties.

AS it is confidently expected that both Congress and the State Legislature will, at their present sessions, enact laws providing Bounty for those Soldiers and Sailors who have never yet received any, it is important that those interested should have their claims in the hands of some one who will look to their interests and see that their claims are put upon file early and in due form for prompt payment.

I shall be glad to receive the papers of any who desire to avail themselves of my experience and facilities in the collection of all just claims.

All papers will be promptly acknowleged, and while in my hands will be kept in a fire and burglar proof vault, specially built for the increasing number of valuable papers in my possession.

WM. B. HILL,
ATTORNEY AT LAW.
N. E. Cor. of Fayette and St. Paul St.,
jan18. BALTIMORE, MD.

Final Notice.

THE Collector of Taxes in the Third District of Kent county for the year 1867, hereby notifies all delinquents that if their Taxes are not paid by the FIRST DAY OF MAY NEXT, he will at that time positively proceed to advertise and collect according to law.

For the convenience of tax-payers he may be found at the store of Mr. Wm. V. Lucas, Worton Heights, every Saturday afternoon until the above date.

S. L. USILTON,
mh14-7t. Collector Third District.

Ann Orfull Eccsposure.

That Er'e feller wat was seen onn too thee Voshill Hous a Bloeing that the fine Pantese hee had orn Kost hymm Twelve Dollars, tells an infurnell Lye, as hee only paide three dollars and fifty sents fore them at B. STRAUSS' CLOTHING STORE, corner of High and Cross streets, Chestertown. mr2.

White Pine Lumber
FOR SALE.

One Hundred Thousand Feet of Dry WHITE PINE BOARDS and FENCING; also, LATHS and Building Materials cut to order.

Address A. P. SHARP,
apr25-3t* Rock Hall.

JUST RECEIVED AND FOR SALE,
A good stock of
WHITE PINE CULLING BOARDS,
HEMLOCK and WHITE PINE FENCING.
April 25, 1868. WM. VANNORT.

PUBLIC GENERAL LAWS,

PASSED BY THE

General Assembly of Maryland,

At the January Session, 1868.

PUBLISHED BY AUTHORITY.

OYSTER LAW.

[CHAPTER 406.]

AN ACT

To repeal the Act passed the twenty-third of March, eighteen hundred and sixty-seven, chapter one hundred and eighty-four, entitled an Act to repeal Article seventy-one of the Code of Public General Laws of the State of Maryland, entitled Oysters, and to re-enact the same with amendments.

SECTION 1. Be it enacted by the General Assembly of Maryland, That the Act passed March twenty-third, eighteen hundred and sixty-seven, chapter one hundred and eighty-four, entitled an Act to repeal Article seventy-one, of the Code of Public General Laws of Maryland, entitled Oysters, and to re-enact the same with amendments, be and the same is hereby repealed and the following enacted in lieu thereof.

Sec. 2. Be it enacted by the General Assembly of Maryland, That no owner, master, captain, hirer, borrower, or employee of any owner or other person, shall use or employ any canoe, boat or vessel of any kind or description whatever in taking or catching oysters for sale in the waters of this State, without having first obtained a license to so use or employ such canoe, boat or other vessel as hereinafter provided.

Sec. 3. And be it enacted, That the Comptroller of the Treasury shall, upon the application of any resident of the State of Maryland, being the owner of any boat or vessel licensed or enrolled in any Custom House of the United States, in said State, issue to such resident license to catch or take oysters with scoop, drag, scrape, dredge or any other instrument, within the waters of the Chesapeake Bay, and to buy and sell oysters in the State, *provided*, that said license shall not authorize the taking or catching of oysters with scoop, scrape, drag or dredge between the first day of June and September in each year, which is hereby expressly forbidden; and provided also, that no Steamboat or other vessel propelled by steam machinery, shall be used for taking or catching oysters in any of the waters of this State.

Sec. 4. And be it enacted, That no license shall be issued to any person who has not been a resident of the State for twelve months next preceding such application, and the owner, or owners, and master of such vessel when making application for such license, shall each make oath before the Comptroller or his authorized clerk, that they are bona fide owner and master of the boat or vessel to be described in the license for which they are applicants; that they have been residents of this State for the time hereinbefore mentioned, and that there is no lien on such vessel held by a non-resident, and such applicant shall produce before said Comptroller or his authorized clerk, the Custom House enrollment or license of such boat or vessel, under such rules and regulations as the said Comptroller may have previously prescribed.

Sec. 5. And be it enacted, That every applicant before obtaining such license shall pay the Comptroller or his authorized clerk therefor, at the rate of three dollars per ton for every ton the boat or vessel for which he desires license, may measure according to its Custom House enrollment or license; and it shall be the duty of every person thus obtaining license to exhibit the same whenever called upon by any officer of the State of Maryland or other person authorized to demand the same; and every boat or vessel engaged in the oyster trade in any of the waters of this State, shall be licensed as required by law, and be subject to all the provisions of the several sections of this Article.

Sec. 6 And be it enacted, That any person who shall violate any of the provisions of the preceding sections, shall be deemed guilty of a misdemeanor, and upon indictment and conviction in any Circuit Court of this State, before whom such case is tried, shall be fined not less than fifty nor more than five hundred dollars, or forfeit the boat or vessel in possession of the party so offending, together with the papers, furniture and tackle on board of said boat or vessel at the time of her seizure, in the discretion of such Justice of the Peace or Court, but said provisions shall not apply to masters or owners of boats or vessels from other States, who may buy oysters from any party or parties authorized by license to catch or take oysters in any of the waters of this State.

Sec. 7. And be it enacted, That any resident of this State owning or having in his possession any canoe, or other small boat, and desiring to take or catch oysters with rakes or tongs in any of the waters of this State, shall first obtain by application to the Clerk of the Circuit Court for the County wherein he may desire so to take or catch oysters, a license therefor, and such license shall have effect from the first day of June, in the year in which it may be obtained, to the first day of June next succeeding; provided, that such license shall not authorize the taking or catching of oysters in any creek, river, cove, inlet, bay or sound, within the limits of any county other than where the license may be granted.

Sec. 8. And be it enacted, That each and every license to take or catch oysters with rakes or tongs, shall state the name and residence of the person to whom the same is to be granted, the name or number, together with the length of the canoe, (said length to be obtained by top or over-all measurement,) or other boat to be licensed, and the county in which the same is to be used, and the period at which said license will expire, and every applicant for such license shall pay to the Clerk of the Court, where such license may be granted granted, and before the issuing and delivery of the same according to the following rates, viz: For every boat or canoe measuring in length twenty feet or less, the sum of four dollars; measuring from twenty to twenty-five feet, the sum of six dollars; measuring from twenty-five to thirty feet, the sum of eight dollars, and all over thirty feet in length, including sloops under Custom House tonnage, the sum of ten dollars each.

Sec. 9. And be it enacted, That every applicant for license to take or catch oysters with rakes or tongs, shall be required to make oath before the Clerk authorized to issue the same, or some Justice of the Peace, upon whose certificate of the taking of such oath the Clerk shall issue said license, that the facts set forth in said license are strictly true; that he is a bona fide resident of the county in which such application is made, and that he will obey and comply with all the provisions of the laws of this State regulating the taking or catching of oysters; and every person to whom such license may be granted, shall be required to paint the name or number of his canoe or other boat on said boat, to correspond with said number or name in said license; and any person neglecting or refusing to comply with this provision, shall, on conviction thereof before a Justice of the Peace, pay a fine of not less than five dollars, nor more than ten dollars, one-half to be paid to the informer, and the residue to the Comptroller of the Treasury.

Sec. 10. And be it enacted, That the Comptroller of the Treasury shall cause to be printed and delivered to the Clerks of the Circuit Courts for the several counties, and the Clerk of the Court of Common Pleas of Baltimore city, the requisite number of such blank licenses, and take receipts for the same as for other licenses furnished, and the said Clerks shall, on the first Monday in March, June, September and December in each year, return to the said Comptroller a list and account of such licenses issued by them.

Sec. 11. And be it enacted, That if any person shall take or catch oysters with rakes or tongs in any waters of this State without having first obtained license as required by the preceding sections of this law, except oysters taken for private use, he shall, upon conviction thereof before any Justice of the Peace for the county where the offense may be committed, be fined not less than twenty nor more than one hundred dollars, or forfeit the canoe or boat so used or employed, in the discretion of the Justice before whom the same may be tried, one-half of said fine to be paid to the informer, and the residue to the Comptroller of the Treasury.

Sec. 12. And be it enacted, That all owners and masters of canoes, boats or vessels licensed under this Article, being white men, are hereby constituted officers of this State for the purpose of arresting and taking before any Judge of any Circuit Court or Justice of the Peace, who shall have jurisdiction therein, any person or persons who may be engaged in violating any of the provisions of this Article, and of seizing any canoe, boat or vessel engaged therein; and all such owners or masters are hereby vested with power to summon the posse comitatus to aid in making such arrest and seizure as fully as are Constables and Sheriffs of the several counties and the city of Baltimore.

Sec. 13. And be it enacted, That upon information given upon oath to any Justice of the Peace having jurisdiction, of any violation of any of the provisions of this Article, the said Justice of the Peace shall issue his warrant for the arrest of the offender or offenders, and the seizure of the canoe, boat or vessel, together with the tackle and furniture on board, which warrant shall be directed to the Sheriff or any Constable of the county, or to the owner or master of any canoe, boat or vessel licensed under this Article.

Sec. 14. And be it enacted, That if any person or persons on board any canoe, boat or vessel, engaged in violating any of the provisions of this Article, shall flee to avoid arrest, the officer endeavoring to make such arrest, shall seize such canoe, boat or vessel, and the same proceeding shall thereupon be had as directed in all cases of seizure under other sections of this Article.

Sec. 15. And be it enacted, That any person resisting an officer or other person authorized to make arrest and seizure under this Article, shall be guilty of a misdemeanor; and upon indictment and conviction thereof in any court of competent jurisdiction, shall pay a fine of not less than fifty nor more than five hundred dollars, or be imprisoned in the county jail where the offense may be tried not less than one month nor more than one year.

Sec. 16. And be it enacted, That it shall be unlawful for any owner, master, employee or other person to use or employ any boat or vessel licensed under this Article, to take or catch oysters with scoops, scrapes, drag or dredge, in taking or catching oysters in any river, creek, cove, inlet, bay or sound within the limits of any county of this State, or on any oyster bed, bar or rock, on or about Talley's Point, Sandy Point, Hackett's Point, Thomas' Point, the Three Sisters, Holland's Point Bar, Plum Point, and Parker's Creek on the western side of Chesapeake Bay, and Swan Point on the eastern side of said bay, and Eastern Bay, inside of a line drawn from Kent Point to Poplar Island, and any owner, master, employee or other person so offending, shall upon conviction thereof before any Justice of the Peace or Judge of any Circuit Court for any county be subject to the same fines and penalties, and the boat or vessel so used or employed, be liable to seizure and forfeiture as provided in section six of this Article, but this section nor any in this Article shall be construed as a repeal of sections ninety-four to one hundred and one inclusive of Article nineteen of the Code of Public Local Laws for Somerset county, relating to oysters.

Sec. 17. And be it enacted, That all boats, vessels or other property condemned under the provisions of this Article, shall be sold by the Sheriff of the county where such boat, vessel or other property may be condemned at public sale, after giving twenty days notice of the time and place of such sale by advertisement in one or more newspapers published in the county where such condemnation may be made, but if the articles condemned be perishable in their character, then the notice may be shorter than twenty days at the discretion of the Justice, and by such other notice as he may deem expedient, to the highest bidder therefor, for cash, and the proceeds of such sale or sales after deducting all the necessary and legal expenses of seizure, condemnation and sale, shall be divided as follows, to wit: one-fourth to the officer making the seizure, one-half of the balance to those aiding the officer to make such seizure, and the residue shall be paid to the State of Maryland; provided, that if such seizure shall be made by the officers and crew of the police force of the State, hereinafter provided for, then such portion as would accrue to them under the provisions of this section shall be paid into the Treasury of this State.

Sec. 18. And be it enacted, That any party or parties, against whom any Justice of the Peace may render a judgment under this Article, either to pay a fine or of condemnation of property, may at any time within ten days from the rendition of such judgment, appeal from such judgment to the Circuit Court for any county, wherein the same may have been rendered, but no execution or sale shall be stayed, unless the party appealing shall give bond with surety to the State of Maryland, in double the value of the property condemned, or of the fine imposed, as the case may be, said security or securities to be resident or residents of the county in which the Justice resides, and who shall swear or affirm that he or they are worth double the amount of the property condemned, and becomes surety for the same, with condition to prosecute such appeal with effect, and to pay the value of the property condemned, and fine imposed, and all costs attending such proceeding, in case such judgement shall be confirmed, and in all cases of appeal either party shall be entitled to trial by jury.

Sec. 19. And be it enacted, That whenever any offense is committed under any of the provisions of this Article, within the waters of the State, but not within the limits of any county, then any Justice of the Peace or the Circuit Court for any county, as the case may be, most convenient of access, from the place where the offense may be committed, shall have jurisdiction thereof; and all proceedings, whether before a Justice of the Peace, or before the Circuit Court for any county, shall be in the name of the State, and if the party or parties accused shall be acquitted, the Comptroller of the State shall pay the cost out of the fund created by this Article.

Sec. 20. And be it enacted, That any boat or vessel, owned either wholly or in part by any non-resident of this State, which may be used or employed by any resident or non-resident of this State in taking or catching oysters, in any of the waters of this State, with scoop, scrape, drag or dredge, shall be liable to seizure and forfeiture, and upon conviction thereof by any Justice of the Peace, or in any Circuit Court of any county, or the Court of Common Pleas of the city of Baltimore, shall be condemned to be sold in the same manner and upon the same terms, and the proceeds of such sale or sales shall be disposed of as hereinbefore provided in section seventeen of this Article.

Sec. 21. And be it enacted, That it shall be the duty of any sheriff, constable or other officer, created under this Article, with or without warrant, to arrest any person or persons, and to seize and take into custody any canoe, boat or vessel, whenever and wherever such person or persons, canoe, boat or vessel shall be found violating or being used in violating any of the provisions of this Article, and bring the offender or offenders before the Justice of the Peace or Judge of a Circuit Court most convenient or accessible to be dealt with as herein provided

Sec. 22. And be it enacted, That it shall be the duty of the officer in charge of the Oyster Police of the State, hereinafter provided for to cause the vessel under his command to cruise daily (unless the condition of said vessel or the inclemency of the weather prevent) in any of the waters of this State, to overhaul and examine the licenses of all boats or vessels engaged in taking or catching oysters in this State, and to arrest all persons who may be found violating, or who may have been guilty of any violation of any of the provisions of this Article, and to seize all boats or vessels, together with their tackle and furniture, which may be found on board such boats or vessels so engaged, used or employed in violating said provisions, and the said officer so commissioned shall have power to summon to his aid such number of persons as may, in his judgment, be necessary and proper for the safe execution of his commission.

Sec. 23. And be it enacted, That it shall be the duty of any officer having charge of or commanding such vessel, to take the person or persons so arrested, and the boat or boats, vessel or vessels, and other property so seized, into his custody, and cause the said person or persons to be taken before some Justice of the Peace for the county wherein the offense may have been committed; and if the offense shall have been committed outside of the limits of any county, then to take the said person or persons before some Justice of the Peace of the county most convenient or accessable from the place where such offense shall have been committed; and it shall be the duty of the Justice of the Peace, before whom such person or persons shall have been taken by the said officer to take cognizance of the same, and docket a case or cases in the name of the State against such person or persons, and the said boat or vessel, and the said Justice shall proceed to try the same and render judgment as provided by this Article.

Sec. 24. And be it enacted, That it shall be the duty of the officer alluded to in section 22 of this article, to return to the Commissioners of the Oyster Police Force, at the expiration of every month, a full and particular account of his proceedings.

Sec. 25. And be it enacted, That in all cases arising under this Article, the Justice of the Peace before whom any person or persons may be brought, shall proceed to docket a case or cases in the name of the State against the person or persons so charged, and also against the boat or vessel employed or used, and shall proceed immediately to try the same, unless the party or parties so charged shall state, upon oath, that further time is necessary to enable him or them to prepare for his or their defense, and to procure attendance of witnesses in which case the said Justice shall appoint a certain day for the trial of the same, and shall cause the said party or parties to enter into recognizance with sureties, approved by said Justice, in a sum not less than five hundred dollars, for his or their appearance on said day, said security or securities to be resident or residents of the county in which the Justice resides, and shall swear or affirm that he or they are worth double the amount of the recognizance required, and in default thereof may commit the said party or parties to jail; and if upon said trial it shall appear to the satisfaction of said Justice that any violation of this Article has been committed by the party or parties, and that said boat or vessel has been used or employed in said violation of this Article or any of its provisions, the said Justice shall render as judgment of condemnation against the said boat or vessel, her tackle and furniture on board at the time of her seizure or fine, the said party or parties at his discretion, as hereinbefore provided.

Sec. 26. And be it enacted, That it shall be unlawful for any person or persons licensed under any of the provisions of this Article to take or catch oysters on Sunday, and any person or persons so offending shall be liable to indictment for a misdemeanor in any Court having criminal jurisdiction in the State, and upon conviction thereof shall be fined a sum not less than fifty nor more than two hundred dollars, or be imprisoned not less than twenty or more than sixty days, in the discretion of the Judge trying the same.

Sec. 27. And be it enacted, That all moneys arising from the sale of licenses, or from fines, penalties and forfeitures imposed under this Article, shall, by the Comptroller, be paid into the Treasury, and placed to the credit of the Oyster Fund, and the Comptroller is hereby required to state in his annual report, particularly, the receipts and expenditures on account of said fund, and the balance standing to the credit of the State at the time of making such report.

Sec. 28. And be it enacted, That the owner or owners of any land bordering on any of the navigable waters of this State, the lines of which extend into and are covered by the said waters, shall have the exclusive privilege of using the same for protecting, sowing, bedding or depositing oysters or other shell fish within the lines of their own land, and any owner or owners of land lying and bordering upon any of the waters of this State, shall have power to locate and appropriate in any of the waters adjoining his, her or their land five acres for the purpose of preserving, depositing, bedding or sowing oysters or other shell fish, and that any other citizen of the State shall have power to locate and appropriate five acres in any waters in said State, not located or appropriated, provided, that ten days notice in writing shall be given the owner or owners, occupant or occupants of lands, bordering on said water proposed to be located. That the owner or owners, occupant or occupants may have priority of claim, and if they shall fail to locate or appropriate the water mentioned in said notice, within ten days after receiving the same, then it shall be open and free to any one under the provisions of this section; provided, also, that the said location or appropriation, shall be described by stakes, bushes or other proper and visible marks, or metes and bounds, which description shall be reduced to writing, under the oath of some competent Surveyor, and recorded at the expense of the party locating or appropriating the same, in the office of the Clerk of the Circuit Court for the county wherein such land may be located; and provided, also, that such location and appropriation shall not injure, obstruct or impede the free navigation of such waters; *provided*, that no natural bar or bed of oysters shall be so located or appropriated.

Sec. 29. And be it enacted, That if any creek, cove or inlet not exceeding one hundred yards in breadth at its mouth make into the land or lands, or that if any creek, cove or inlet of greater width than one hundred yards make into the land or lands, the owner or owners, or other lawful occupant or occupants shall have the exclusive right to use such creek, cover or inlet, when the mouth of said creek, cover or inlet is one hundred yards or less in width, and when the said creek, cove or inlet is more than one hundred yards in width at its mouth, the said owner or owners or other lawful occupant or occupants, shall have exclusive right to use such creek, cove or inlet so soon as said creek, cove or inlet in making into said land or lands, shall become one hundred yards in width, for preserving, depositing, bedding or sowing oysters or other shell fish, although such creek, cove or inlet may not be included in the lines of any patent.

Sec. 30. And be it enacted, That if any person who shall take with a drag, dredge, scoop, scrape, rake or tongs, or any instrument whatever, any oysters or other shell-fish imbedded, planted or sown in accordance with the provisions of sections twenty eight and twenty-nine of this Article, or shall carry, or attempt to carry the same away, shall be deemed guilty of a felony and be liable to indictment, and on conviction thereof in any Court in this State having criminal jurisdiction, shall be sentenced by the Judge of such Court to the Penitentiary for a term not exceeding five years and not less than one year.

Sec. 31. And be it enacted, That the State's portion of all fines and forfeitures accruing under this Article, shall be paid by the Sheriff or other officer collecting the same, to the Clerk of the Circuit Court of the county, or the Clerk of the Court of Common Pleas of the city of Baltimore, where such fine or forfeiture may accrue, and such Clerk shall account for the same to the Comptroller of the Treasury in his quarterly returns.

Sec. 32. And be it enacted, That all licenses to take or catch oysters with scoops, scrapes, drag, or dredge in the waters of the Chesapeake Bay shall be numbered, and the owner or master of every boat or vessel so licensed shall be required to have or cause to be printed on the fore or main sail of such boat or vessel, above the reefing point or upon a white flag, to be displayed upon some prominent part of said vessel, at least six feet above the deck, the number corresponding with the number on such license, such number to be printed in black figure or figures, not less than one foot in length and of proportionate width, and which number shall be exposed to view when dredging, and any person or persons caught taking or catching oysters with scoop, scrape, drag or dredge in any of the waters of this State, without having complied with this provision, shall upon conviction thereof by any Justice of the Peace of this State, be fined not less than fifty nor more than one hundred dollars, one half of such fine to be paid to the informer and the balance to the State, unless such informer be a paid officer of the State as provided for in this Article.

Sec. 33 And be it enacted, That all oysters in the shell disposed of in the State of Maryland, shall be measured in a sealed measure of any capacity, from half a bushel to twenty-five bushels, that may be agreed upon between the seller and purchaser; *provided*, that said measure or measures shall contain in quantity for each bushel thereof, according to the following dimensions, that is to say, sixteen and a half inches across from inside to inside at the top, and twenty-one inches diagonal from the inside chime to the top, and the same shall be even or struck measure.

Sec. 34. And be it enacted, That it shall be the duty of the purchaser or seller to have said measure or measures, duly inspected and sealed by the proper officers, under a forfeit of fifty dollars for each and every offense, to be recovered before any Justice of the Peace, by action of debt in the name of the State of Maryland, one-half to go to the informer, and the other half to the use of the State.

Sec. 35. And be it enacted, That all oysters sold in the city of Baltimore shall be measured by a sworn measurer, who shall receive for his services one cent per bushel, to be paid equally by the purchaser and seller.

Sec. 36. And be it enacted, That the sworn measurers as aforesaid shall take out a license to authorize them to measure said oysters, from the Clerk of the Court of Common Pleas in the city of Baltimore.

Sec. 37. And be it enacted, That they shall make oath before said Clerk, that they will faithfully and impartially discharge the duties of measurer of oysters, as between purchaser and seller thereof, and shall pay the sum of fifty dollars for said license, and the further sum of fifty cents to said Clerk for issuing the same.

Sec. 38. And be it enacted, That the Revenue arising from the sale of said licenses shall be paid to the Comptroller of the Treasury to be placed to the credit of the oyster fund.

Sec. 39. And be it enacted, That the sum of twenty-two thousand dollars is hereby appropriated to purchase a suitable steam vessel and two tenders to be propelled by steam, sails, oars or otherwise, at the discretion of the Commissioners hereinafter named, said vessel and tenders not to exceed in cost this appropriation and to arm and equip the same for the service herinafter specified, to be styled the State Oyster Police Force, and the Governor, Treasurer, Comptroller, Superintendent of Labor and Agriculture, and the Clerk of the Court of Appeals shall constitute a Board to be styled the Commissioners of the State Oyster Police Force, and they are directed to purchase, arm and equip said steam vessel and tenders, and the Treasurer of the State, upon the requisition of said Commissioners, and the warrant of the Comptroller is hereby directed to pay the sum or sums necessary, not exceeding this and any other appropriation hereinafter mentioned for the purposes herein specified.

Sec 40. And be it enacted, That the Board of Commissioners of the State Oyster Police Force, shall have power to appoint a suitable person to command said force, whose term of office shall be for two years unless sooner removed for incompetency or neglect of duty, and if said officer shall fail to discharge his duty; by reason of collusion with those interested in evading the law, he shall upon presentment, indictment and conviction, in a Court of law, be deemed guilty of a misdemeanor and fined, or imprisonment or both at the discretion of the Court.

Sec. 41. And be it enacted, That the commanding officer of said force be, and he is hereby required to keep his vessel constantly cruising, when circumstances will permit, wherever opposition to the oyster law has arisen, or likely to arise, within the boundaries of the State, and that every locality where a violation of the law exists, or is likely to arise, shall be visited as often as the duties of the force and the condition of the vessel will permit, and that a monthly report shall be made to the Commissioners, of all official action taken under the law, and a strict and careful journal kept of all duties performed, and the circumstances connected therewith. The salary of the chief officer shall be twenty-five hundred dollars per annum, which shall be paid to him monthly by the Treasurer upon the warrant of the Comptroller, and he shall have power to appoint one chief mate, at twelve hundred dollars per annum, and who shall be a pilot; one second mate at six hundred dollars per annum; one chief engineer at twelve hundred dollars per annum; one assistant engineer, at nine hundred dollars per annum; three men to act as firemen and coal-heavers, at twenty-five dollars per month each; one steward and one cook, at twenty-five dollars per month each, and as many seamen as the above Commissioners may deem necessary, at twenty dollars per month.

Sec. 42. And be it enacted, That said Commissioners are empowered and directed to purchase such arms and ammunition as shall be necessary to carry into effect the duties devolved upon said Oyster Police Force.

Sec. 43. And be it enacted, That the officers and crew aforesaid, shall each receive one ration per day, in quality and quantity such as is allowed by law to the officers and crew of the Revenue Marine of the United States.

Sec. 44. And be it enacted, That the officers and crew aforesaid, shall be paid by the Treasurer upon the warrant of the Comptroller, and the certificate of the commanding officer, that their duty has been performed as required by law.

Sec 45. And be it enacted, That the commanding officer shall have authority to dismiss from said service any officer or other person under his command, whenever in his judgment the interest of said service may require him to do so.

Sec. 46. And be it enacted, That the commanding officer aforesaid, is hereby empowered to prescribe Rules and Regulations for the discipline of said Oyster Police Force, which shall be submitted to the Commissioners aforesaid for their consideration, and when duly approved by them, shall have the force of law, and be binding upon the officers and crew of said force.

Sec. 47. And be it enacted, That in case of the death or permanent disability of the commanding officer aforesaid, the Commissioners aforesaid shall have authority to fill the vacancy.

Sec. 48. And be it enacted, That to enable the said Commissioners to equip and put into service the Oyster Police Force the sum of eight thousand dollars, or so much thereof as may be deemed necessary, in addition to the sum of twenty-two thousand dollars hereinbefore mentioned, be and the same is hereby appropriated, which shall be paid by the Treasurer, upon the sequisition of said Commissioners and the warrant of the Comptroller.

Sec. 49. And be it enacted, That the Board of Commissioners shall have power to keep the said steamer and tender in suitable repair; and the Treasurer of the State, upon the requisition of said Commissioners and the warrant of the Comptroller, is hereby directed to pay the sum or sums necessary to carry out the provisions of this section.

Sec. 50. And be it enacted, That the commanding officer of said force shall, before entering upon the discharge of his duties, take before the Judge of one of the Circuit Courts the oath prescribed by the Constitution, and shall enter into bond to the State of Maryland in the sum of twenty thousand dollars, to be approved by said Judge, for the faithful performance of his duties, as prescribed in this Article.

Sec. 51. And be it enacted, That all laws inconsistent with the provisions of this Act be, and the same are hereby repealed.

Sec. 52. And be it enacted, That this Act shall take effect from the date of its passage.

Approved March 30, 1868.

THOMAS SWANN,
m16 1t. Governor.

The Smack at School.

A district school, not far away,
'Mid Berkshire hills one winter's day,
Was humming with its wonted noise
Of three-score mingled girls and boys,
Some few upon their tasks intent,
But more upon furtive mischief bent.
The while the master's downward look
Was fastened on a copy book,
Rose sharp and clear a rousing smack!
As 'twere a battery of bliss
Let off in one tremendous kiss!
"What's that!" the startled master cries,
"That, thir," a little imp replies,
"Wath William Willuth, if you pleathe—
I thaw him kith Thuthannah Peathe!"
With frown to make a statue thrill,
The master thundered "Hither, Will!"
Like wretch o'ertaken