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THE OYSTER LAW.

AN ACT entitled an Act to repeal chapter one hundred and eighty-one, of the Acts passed at the January Session, eighteen hundred and seventy-four, being an Act to repeal Article seventy-one, of the Code of Public General Laws, title "Oysters," as amended and re-enacted by chapter three hundred and sixty-four, of the Acts passed at January Session, eighteen hundred and seventy, and also chapter one hundred and sixty-seven, of the Acts passed at January Session, eighteen hundred and seventy-two, and to re-enact the same with amendments, and add additional sections thereto.

SECTION 1. Be it enacted by the General Assembly of Maryland, That chapter one hundred and eighty-one, of the Acts passed at the January Session, eighteen hundred and seventy-four, be, and the same are hereby repealed, and the following enacted in lieu thereof, to be Article seventy-one, of the Code of Public General Laws, title "Oysters:"

SEC. 2. Be it enacted, That no steamer shall be used or employed in catching oysters in the waters of this State, with scoop, dredge or similar instrument, and no other boat shall be used in catching oysters with scoop, dredge or similar instrument without first having been licensed as hereinafter provided.

SEC. 3. And be it enacted, That the Comptroller of the Treasury shall, upon application of any person who has been a resident of this State for twelve consecutive months next preceding such application, and to no other person, issue a license to such resident to employ such boat in catching oysters with scoop, dredge or similar instrument. Within the waters of the Cesapeake Bay and in Eastern Bay, outside of a line drawn from the southwest corner of Second Kent Point to Wades Point; *provided*, that nothing herein contained shall authorize the catching of oysters with scoop, dredge or similar instrument, on any oyster bar within one and a half miles of Talley's Point, Sandy Point, Hackett's Point, Thomes' Point, Holland Island Bar, Tree Sisters, Swan Point Bar, Poplar Island, one-quarter of a mile west of, and between the island and the main land, nor within a half mile of Plumb Point, and to buy and sell oysters in this State, which license shall hold good for one year, but shall only authorize the catching of oysters between the fifteenth day of October and the first day of April, but it shall be lawful for the owner of any such boat licensed, whenever said owner shall sell and convey by bill of sale for a bona fide consideration, said boat unto any person who has been a resident of the State of Maryland for at least one year, to transfer the said license to said vendee with the boat, which license, when transferred, shall entitle said vendee with said boat to the same privileges for catching oysters in the waters of this State, that the original vendor or assignor had before said assignment; *provided*, the said vendee and assignee shall appear before the Comptroller of the Treasury and make oath before him to all the facts, matters, things and prerequisites required of said original vendor or assignor before taking out such licenses, upon which said license the said Comptroller shall certify the fact of said vendee or assignee have taken said oath, and for which said assignee or vendee shall pay the sum of five dollars, to be paid the State of Maryland.

SEC. 4. And be it enacted, That the owner of such boat shall make oath before the Comptroller or his clerk, or if the owner be a resident of Baltimore city, he shall make oath before the Clerk of the Court of Common Pleas, or if a resident of a county, shall make oath before the Clerk of the Circuit Court of said county, that he is the bona fide owner of such boat to be described in the license; that he has been a resident of the State for the time before mentioned; that there is no lien on said boat held by a non-resident, that the said boat is not held with an intention to violate the provisions of this law, such applicant shall produce before the Comptroller, at the time of such applications, the certificate of the taking of said oath, the Custom House enrollment or license of such boat; and if such boat is under Custom House tonnage, the owner shall swear as to her tonnage; the master of such boat shall make oath before the Comptroller or his clerk; or if a resident of Baltimore city before the Clerk of the Court of Common Please, or the Clerk of the county whereof he may reside, that he has been a resident of the State of Maryland for twelve months next preceding the time of taking such oath.

SEC. 5. And be it enacted, That before granting such license, the Comptroller shall receive for it from the applicant, at the rate of three dollars per ton for every ton the boat may measure; the license shall be exhibited whenever called for by any officer of the State of Maryland.

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, or before any Justice of the Peace of this State, before whom such case is tried, shall be fined not less than fifty dollars nor more than two hundred dollars, or sentenced to the House of Correction for a term not less than three months nor more than three years; and the boat or vessel used in said violation, together with the papers, furniture and tackle on said boat or vessel at the time of violation, shall pay a penalty of not less than fifty dollars nor more than three hundred dollars for each and every violation of the preceding sections.

SEC. 7. And be it enacted, That upon information given under oath to any Judge of the Circuit Court or Justice of the Peace, of any violation of any of the provisions of this Act, he shall issue his warrant to the Sheriff or any constable, requiring any of them to whom it may be directed to summons a posse comitatus if necessary, and proceed forthwith to arrest the party or parties alleged to have been engaged in the violation of this Act, and to seize and to take possession of any boat, canoe or vessel, together with all her tackle and apparel on board of the same, and deliver the same to the Judge of the Circuit Court or a Justice of the Peace of this State, to be dealt with according to the provisions of this Act.

SEC. 8. And be it enacted, That any person or persons who shall resist any officer authorized under this Act to make arrests, shall be deemed guilty of a misdemeanor, and upon indictment and conviction thereof in any Court having jurisdiction, shall be imprisoned in the House of Correction for not less than three months nor more than three years, in the discretion of the Court; the parties tried and acquitted under this Act shall have the cost of such trial paid by the Comptroller of the State out of the fund created by this Act.

SEC. 9. And be it enacted, That it shall be the duty of the Sheriff, constable or of the State Fishery Force, to arrest any person or persons, and to seize any canoe, boat or vessel found violating any of the provisions of this Act, and bring the offender or offenders before a Judge of the Court having criminal jurisdiction, or a Justice of the Peace most convenient or accessible, to be dealt with as herein provided.

SEC. 10. And be it enacted, That the Judge or Justice of the Peace, before whom any person or persons may be brought, charged under oath with violating any of the provisions of this Act, the said Judge or Justice of the Peace shall either give the case an immediate hearing, or at the instance of the party or parties charged with a violation of this Act, shall appoint some early day within the next ten days thereafter, to hear the case, the party or parties charged giving such good and sufficient bail as said Judge or Justice shall require, for his or their attendance, and on conviction of the offender or offenders, the said Judge or Justice of the Peace shall impose a fine upon the offender or offenders of not less than fifty dollars nor more than two hundred dollars, or imprisonment in the House of Correction for not less than three months, nor more than three years, and the boat or vessel used in such violation, together with all the apparel and tackle on board, at the time of said violation, shall be held until said fine and costs are paid; *provided*, that if said fine shall not be paid within twenty days thereafter, it shall be the duty of said Judge or Justice of the Peace to decree forfeiture of the said boat or vessel, together with all the apparel and tackle on board, and he is hereby authorized to order any Sheriff or constable to sell said boat or vessel, together with all the apparel and tackle on board, to the highest bidder, for cash, after giving at least twenty days notice of the time and place of said sale, and the proceeds shall go to the payment of the fine and costs of such prosecution, and the balance, if any, shall be paid to the owner of said boat or vessel; *provided*, the said owner shall have right of an appeal to the Circuit Court.

SEC. 11. And be it enacted, That any boat owned wholly or in part by any non-resident, used in catching oysters in this State with scoop, dredge or similar instrument, shall be condemed by order of any Judge of the Circuit Court nearest the place of her capture, or if captured in Baltimore, by order of the Judge of the City Court, and shall be sold by the Sheriff of the county where condemned, or if condemned in Baltimore city, by the Sheriff of said city, to the highest bidder, for cash, after twents days notice of the time and place of sale, such notice to be published three times in a newpaper having the largest circulation, printed in Baltimore city or in the county where condemned; one fourth of the proceeds of such sale shall be paid to the party making the captures, except the officers of the Fishery Force, and the balance shall be paid into the Treasury of the State to be credited to the Oyster Fund.

SEC. 12. And be it enacted, That fines accruing from this Act shall be paid by the Sheriff, constable or officers of the State Fishery Force, collecting the same, within ten days, to the Clerk of the county or city where such fine may accrue, and such Clerk shall account for the same in his next quarterly term to the Comptroller of the Treasury, to be placed to the credit of the Oyster Fund.

SEC. 13. And be it enacted, That it shall be unlawful, without authority from the owner, for any person or persons to take or catch planted oysters; any person or persons violating the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction in the Circuit Court of the county wherein the oysters were bedded, shall be fined not less than five dollars nor more than fifty dollars, or be sentenced to the House of Correction for a term not less than three months nor more than three years, at the discretion of the Judge or Justice trying the case.

SEC. 14. And be it enacted, That it shall be unlawful for any person or persons to take or catch oysters, except for private use, to the amount of five bushels per day, or for sale of the same to any citizen or citizens of the neighborhood, and to them only for the purpose of being consumed where sold, or for the purpose of replanting or bedding in the waters of the counties wherein they are caught, or for sale to the citizens of the county wherein they are caught, and to them only for the purpose of replanting or bedding in the waters of said counties, between the fifteenth day of April and the first day of September, in each and every year; any person violating this section shall be deemed guilty of a misdemeanor, and fined by a Justice of the Peace of the county wherein the offence was committed, not less than fifty dollars, nor more than two hundred dollars, or imprisonment in the House of Correction for not less than three months nor more than three years.

SEC. 15. And be it enacted, That it shall be unlawful for any person or persons to catch oysters on Sunday or at night, or to carry oysters in the shell outside the State, between the first day of April and the first day of September, and any person or persons violating this section shall be fined a sum of not less than fifty dollars nor more than three hundred dollars, or sentenced to the House of Correction for a period of not less than three months nor more than three years, or forfeit the boat, vessel or canoes usee in violation of this Act, at the discretion of the Judge or Justice of the Peace trying the same.

SEC. 16. And be it enacted, That the Comptroller of the Treasury shall have painted in black figueres on white canvas two sets of numbers, corresponding to the license to catch oysters with scoop, scrape, dredge, or any similar instrument, each figure shall be twenty-two inches in length and of proportionate width, and the figures at least six inches apart, and he shall give to each person taking out such license two numbers thereof, one of which shall be firmly sewed upon the starboard side, and in the middle of that part of the mainsail which is above the close reef, and the other number on the port side, and in the middle part of the jib, which is above the bonnet and reef, these numbers shall be placed in an upwright position, and worn at all times during the dredging season, and shall not be concealed or defaced, and no other number shall be exposed to view or used than that which is furnished by the Comptroller; any person or persons who shall violate the provisions of this section, shall be deemed guilty of a misdemeanor, and upon conviction in any Circuit Court in this State, or before a Justice of the Peace, shall be fined not less than fifty dollars, nor more than one hundred dollars, or imprisoned in the House of Correction for a period of not less than three months, nor more than two years; *provided*, the court or the Justice of the Peace trying the same, shall be convinced that the provisions of this section have been intentionally violated.

SEC. 17. And be it enacted, That any resident of this State, desiring to use any canoe or other boat, in catching or taking oysters with rakes or tongs for sale, in any of the waters of this State, shall first obtain by application to the Clerk of the Circuit Court of the county wherein he may reside, a license therefor, and such license shall have effect from the first day of June, in the year in which they may have been obtained, to the first of June next succeeding; *provided*, that such license shall not authorize the use of said canoe or boat in taking or catching oysters in any creek, cove, river, inlet, bay or sound within the limits of any county, other than that wherein the license shall have been granted, and that the boundaries of counties bordering on navigable waters, shall be strictly construed so as not to permit the residents of either county to take or catch oysters beyond the middle of the dividing channel; *provided*, that nothing in this section shall be so construed as to prevent the citizens of St. Mary's and Calvert counties from using the waters of the Patuxent river in common, or the citizens of Queen Anne's and Kent counties from using the waters of Chester river in common, or the citizen of Dorchester and Wicomico from using the waters of the Nanticoke river in common, or the citizens of Queen Anne's and Talbot counties from using the waters of Wye river and the mouth thereof in common, or citizens of Dorchester or Talbot counties from using the waters of the Choptank river in common.

SEC. 18. And be it enacted, That each and every license to take or catch oysters for sale, with rakes or tongs, shall state the name and residence of the person to whom the same is to be granted, the number together with the length to be obtained by top or over all, measurement of the canoe or boat licensed, 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, and before the issuing and delivery of the same, according to the following rates, viz: for any boat measuring in length twenty feet or less, the sum of two dollars; measuring from twenty to twenty-five feet, the sum of three dollars; measuring from twenty-five to thirty feet, the sum of four dollars; and all over thirty feet, including sloops under Custom House tonnage, the sum of five dollars each, and all oysters taken with rakes or tongs shall be culled upon the natural beds where they are taken; the amount received from tonging license to be paid by the Clerk to the School Commissioners, for the public schools in the respective counties where such license is issued; *provided*, the sum received from the white tongers shall go to white schools, and the sum from colored tongers to the colored schools.

SEC. 19. And be it enacted, That every applicant for license to use any canoe or other boat in taking or catching oysters with rakes or tongs, shall be required to make oath or affirmation before the Clerk authorized to issue the same, or some Justice of the Peace, on whose certificate of the taking of such oath or affirmation the Clerk shall issue said license; that the facts set forth in said license are strictly true; that he has been a bona fide resident of the county for the twelve months next preceding his application for said license; that he desires and intends to use said canoe or boat only in the county in which he resides, or in the waters used in common, as herein provided in this Act; that he will not allow the same to be used for the taking of oysters by non-residents of the county; that he will comply with and obey all the laws of this State, regulating the taking or catching of oysters; and every person to whom such license shall have been granted, shall paint the number of his canoe or boat on the outside thereof, near the gunwale, in black figures, and not less than three inches in length, and of proportionate width, in white ground, and no number, other than that in the said license, shall be exposed to view on said canoe or boat; and any person failing to comply with this provision before using said boat or canoe for the purpose aforesaid, shall, on conviction thereof before a Justice of the Peace, be fined not less than five dollars, nor more than ten dollars, and any person who may refuse to pay said fine, shall be committed to the county jail for the period of thirty days, or until said fine be paid.

SEC. 20. And be it enacted, That the Comptroller of the Treasury shall cause to be printed and delivered to the Clerks of the Circuit Courts of the several counties, 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 of March and December of each year, return to the Comptroller a list and account of such licenses, issued by them, and no license to take or catch oysters with rakes or tongs shall be issued to any boat or vessel which is licensed to take or catch oysters with scoop, drag, dredge or any similar instrument.

SEC. 21. And be it enacted, That if any person shall use any canoe or boat, not licensed as required by the preceding sections of this Article, in taking or catching oysters with rakes or tongs, except for private use, he shall, upon conviction thereof before a Justice of the Peace for the county wherein the offence has been committed, be fined not less than twenty nor more than one hundred dollars; and in case of refusal to pay the said fine, said party shall be confined in the House of Correction for a period not less than three months, nor more than three years.

SEC. 22. And be it enacted, That all moneys arising from fines, penalties imposed under this Article, shall, upon warrant of 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, the balance standing to the credit of the State at the time of making such report.

SEC. 23. And be it enacted, That the owner or owners of any land bordering on any of the navigable waters of the State, the lines of which extend into and are covered by 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 lands five acres, for the purpose of protecting, preserving, depositing, bedding or stowing oysters or other shell fish; and that any other citizen of the State shall have the power to locate and appropriate five acres in said State not located or appropriated; *provided*, thirty days notice in writing shall be given the owner or owners, occupant or occupants, of land 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 thirty days after receiving the same, then it shall be open and free to anyone 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 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 in 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 said waters; *and provided*, that no natural bar or bed of oysters shall be so located or appropriated, and that six months peaceable possession of all locations of oyster grounds under the laws of this State shall constitute a good and sufficient title thereto; but should anyone, within six months hereinfore prohibited, the question may be at once submitted by any person interested, to the Judge of the Circuit Court in the county where such questions shall arise, who, after having given notice to the parties interested, proceed to hear the testimony and decide the case, and if decision be in favor of the party locating said five acres, said decision shall be recorded with the original record of said five acres, and shall in all cases be conclusive evidence of title thereto.

SEC. 24. And be it enacted, That if any creek, cove or inlet, not exceeding one hundred yards at low water in breadth at its mouth, make into the lands, or that if any creek, cove or inlet of greater width than one hundred yards at low water mark make into the lands, the owner or owners, or other lawful occupant or occupants, shall have the exclusive right to use such creek, cove or inlet when the mouth of said creek, cove 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 at low water, 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 at low water, for preserving, depositing, bedding or sewing oysters or other shell fish, although such cove, creek or inlet may not be included in the lines of any patent.

SEC. 25. And be it enacted, That the Board of Public Works is empowered and directed, to purchase for each of the guard boats such arms and ammunitions as may be necessary to make them efficient.

SEC. 26. Be it enacted that for more efficient working of the State Fishery Force, the waters of this State shall be divided into seven districts, of which the waters of Kent county and Queen Anne's shall be the first; the waters of Queen Anne's and Talbot shall be the second; the waters of Dorchester and Talbot the third; the waters of Wicomico the fourth; the waters of Somerset county the fifth; the waters of Anne Arundel county the sixth; the waters of St. Mary's, Charles and Calvert the seventh; each of the said districts shall be guarded by one sailing vessel, except the third and seventh, which shall be guarded by two; and it shall be the duty of the Deputy Commander of the first district to guard the waters of Chester river, belonging to Queen Ann's county and the waters of Kent county, including Swan Point Bar; and the duty of the Commander of the second district to guard the waters of Eastern Bay, and its tributaries, and the waters of Talbot county, as far down as Black Walnut Point; and it shall be the duty of one of the Deputy Commanders of the third district to guard the waters of Choptank river and its tributaries, which lay in Talbot county; and the duty of the Commander of Wicomico county boat, to guard the waters of Wicomico county, and the line between Somerset and Wicomico county; and the remaining Commanders to guard their respective districts, provided that the Board of Public Works or Commander of the Fishery Force are hereby authorised and empowered to order the Deputy Commanders to do duty in any of the waters in this State when in the judgment of either they may deem it necessary.

SEC. 27. And be it enacted, That the Board of Public Works shall have power to appoint a suitable person to command said Force, to appoint the Deputy Commanders for their respective districts from persons of the counties whose waters comprise the different districts, who shall be commissioned by the Governor, and the said Commander and Deputy Commanders shall have power to appoint their subordinates, and select their crews; and the term of office of said Commander and Deputy Commanders shall be for two years, unless sooner removed for incompetency or neglect of duty, and if any of said officers shall fail in the discharge of his duty by reason of collusion with parties interested in violating any of the provisions of this Act, he shall be guilty of a misdemeanor, and on indictment and conviction in a Court of Law, shall be fined or imprisoned at the discretion of the Court.

SEC. 28. And be it enacted, That the Board of Public Works shall have the power to remove any officer of said Force for neglect of duty or incompetency, and any officer commanding in said Force shall have the power to remove any subordinate under his command, and appoint a person to fill the vacancy whenever the interest of said service may, in his judgment, require him to do so.

SEC. 29. And be it enacted, That the Board of Public Works shall have power to keep the steamer and said vessels in good order, and the Treasurer of the State, upon requisition of the said Board, and the warrant of the Comptroller, is hereby required and directed to pay the sum or sums necessary to carry out the provisions of this Act.

SEC. 30. And be it enacted, That the Commanding Officer who shall have charge of the steamer, may be selected from the State at large, but the Deputy Commanders shall be selected from the districts in which they are to serve.

SEC. 31. And be it enacted, That the Commanding Officer be, and he is hereby required to keep his vessel constantly on duty when circumstances will permit; and that every locality where a violation of the law is likely to occur, shall be visited as often as the duties of the Force and condition of the vessel will allow, and that every three months a report shall be made to the Board of Public Works of all official action taken under the law, and of all monies received for license issued to parties engaged in carrying oysters taken in this State, which on warrant of the Comptroller shall be paid in the Treasury.

SEC. 32. And be it enacted, That it shall be the duty of the Deputy Commanders to confine themselves ordinarily to their several districts; but it shall also be their duty to enforce any of the provisions of this Act in any waters adjacent to their districts, when a violation of the same shall come to their knowledge, and they shall report quarterly to the Comptroller the amount of monies received for licenses issued to persons engaged in carrying oysters, taken in this State, and on receiving his warrant shall pay the same into the Treasury.

SEC. 33. And be it enacted, That the Commanding Officer and the Deputy Commanders of said Force, shall, before entering upon the discharge of their duties, take, before one of the Judges of the Circuit Court, the oath prescribed by the Constitution, and the Commanding Officer of said Force shall enter into bond to the State of Maryland in the sum of ten thousand dollars, and each Deputy Commander in the sum of three thousand dollars, to be approved by said Judges, for the faithful performance of their duties as prescribed in this Act; the said bond or bonds to be filed with the Comptroller.

SEC. 34. And be it enacted, That the salary of the Commanding Officer in charge of steamer shall be one thousand five hundred dollars per annum, and he shall have power to appoint one officer, at a salary of seven hundred dollars per annum; one engineer at eight hundred dollars per annum, and one officer at six hundred dollars per annum, two seamen at twenty-five dollars per month; two seamen at twenty dollars per month; one fireman at thirty dollars per month; one fireman at twenty dollars per month; one steward at twenty dollars per month; and one cook at twenty-five dollars per month; and each Deputy Commander shall receive a salary of eight hundred dollars per annum, and shall have power to appoint one officer at a salary of five hundred and fifty dollars per annum, and three seamen at a salary of thirty dollars per month each, to be selected from the districts in which they serve.

SEC. 35. And be it enacted, That the officers and crew of the steamer aforesaid, shall each receive one ration per day, of the quality and quantity, such as is allowed by law to the officers and crew of the Revenue Marine of the United States, but no rations shall be allowed to officers or crews of the sailing vessels.

SEC. 36. And be it enacted, That the officers and crews aforesaid, shall be paid monthly by the Treasurer, upon warrant of the Comptroller and the certificate of the Commanding officers, that their duties had been performed as required by law.

SEC. 37. 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 three bushels, that may be agreed upon between the seller and purchaser; *provided*, that the said measure or measures shall contain in quantity for each bushel thereof, according to the following dimensions: That is to say, six teen and a half inches across, from inside to inside at the bottom, eighteen inches across from inside to inside at the top, and twenty-one inches diagonel from the inside chime to the top, and the same shall be even or struck measure.

SEC. 38. And be it enacted, That it shall be the duty of the purchaser or seller to have and use said measure or measures, duly inspected and sealed by the proper officers, and that no other measure shall be used under a forfeit of fifty dollars for each and every offence, 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, the other half to be paid to the Comptroller, to be placed to the credit of the Oyster Fund.

SEC. 39. And be it enacted, That if any boat or vessel shall be seen sailing over any of the waters of this State, which are exempted from dredging by law, in the same manner in which they sail to take or catch oysters with scoop, scrape, drag, dredge, or similar instrument, the said boat or vessel shall be pursued by any officer or officers authorized by this Act to make arrests, and if said boat or vessel apprehended by said officer, shall be found to have on board any wet oysters on deck and properly equipped for taking or catching oysters with scoop, scrape, drag or dredge, or similar instrument, it shall be prima facie evidence that the said boat or vessel has been used in violation of this Act, and it shall be the duty of the officer to arrest the person in command of said boat or vessel and seize the said boat or vessel, together with all her equipments, and bring the same before a Judge or Justice of the Peace most accessible, to be dealt with according to law; provided, that nothing in this Act shall be construed to prohibit vessels from seeking harbor in any waters of this State.

SEC. 40. And be it enacted, That all oysters taken from any of the waters of this State, shall be culled upon their natural bed or bar, any person or persons violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon trial and conviction before any Judge or Justice of the Peace of this State, shall be fined not less than fifty nor more than three hundred dollars, or sentenced to the House of Correction for a term not less than three months, nor more than three years, or forfeit the canoe or vessel used in said violation.

SEC. 41. And be it enacted, That any person or persons convicted under any of the provisions of this Act, shall, in all cases, have the right of appeal.

SEC. 42. And be it enacted, That nothing in this Act shall be construed so as to apply to Worcester county.

SEC. 43. And be it enacted, That it shall be the duty of the Commander of the steamer to diligently watch and guard and to arrest all persons dredging, tonging or scooping without license, and the Commanders of the sailing vessels shall likewise guard and arrest all persons for any violation of the law in this respect in their several districts; any violation of duty in this respect shall be deemed a sufficient cause of removal.

SEC. 44. And be it enacted, That nothing contained in this act shall be construed to effect any prosecutions for the violation of the existing law now pending in this State.

SEC. 45. And be it enacted, That this Act shall take effect from the date of its passage.

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☞MOGEE'S SCHUYLKILL QUICK LIME is claimed to slake MORE TO THE BUSHEL, LESS CORE, WILL ACT QUICKER and LAST LONGER *than ANY LIME used on the Peninsula.*

We respectfully refer to the following testimonials and names of persons who have used Mogee's Schuylkill Lime:

MR. B. F. FLEMING:—We used 3,000 bushels Mogee's lime last year. It acts well and paid handsomely on corn. JAMES L. BECK. } Beck's Wharf. WALTER H. BECK. }

This year 1880 I have rented from Major Hynson the Huntingfield farm; will use 5,000 bushels Mogee's Lime. Your Captains give good measure and deal fair.

JAMES L. BECK.

MR. B. F. FLEMING:—I have used Mogee's Lime for the past 2 years on corn. It acts well; keeps the corn green and largely increases the yield. It slakes fully double, contains no core and is as near genuine Lime as any I ever used.

GEO. H. SNITCHER.

MR. B. F. FLEMING:—I have used 2,600 bushels of Mogee's Slaked Lime on Mrs. A. M. Hurtt's farm; it has given excellent satisfaction.

STEPHEN CONSTABLE.

MR. B. F. FLEMING:—I used three car loads of Mogee's Schuylkill Lime on Corn last Spring. It slaked fully *double*. There was not a half bushel of core in the whole. It kept the corn green, and I believe it is the best lime I ever used. I shall use it on corn this Spring. PURNELL JEFFERSON,

Chestertown P. O., Kent co., Md.

MR. B. F. FLEMING—Dear Sir: I used about 6,000 bushels of Mogee's Quick Lime last year. It gave me good satisfaction.

ISAAC PARSONS, *Hanesville, Kent co., Md.*

MR. B. F. FLEMING:—We have used several different kinds of Lime. The 1000 bushels of Mogee's Schuylkill lime we tried on corn last spring slaked better, contained less core and coal, acted quicker, and gave the best satisfaction of any lime we have ever used. Send us 2,000 bushels of the same lime this Spring.

GEO. R. REED and S. A. REED.

MR. B. F. FLEMING:—I have used several thousand bushels of lime since I have been living on Mr. Wm. Vannort's farm; I used two cars of Mogee's Schuylkill lime last Spring. It slaked more than two bushels for one, and there was no core at all. I believe it is the best lime I ever used, and expect to use more of it this Spring.

J. E. NEWCOMB.

MR. B. F. FLEMING:—I have used Mogee's Lime for two years past, and believe it to be the best lime sold. JOSEPH H. PORTER.

MR. B. F. FLEMING:—Before I commenced to use Mogee's Lime I could not raise enough corn and wheat to supply me. I am happy to say that I have been using it for 3 years; it slakes well, acts quick on corn and wheat, makes the clover grow, and I believe that where I used Mogee's lime the yield is double for corn, wheat and clover. If any one doubts this Mr. Fleming will give them a free ride to Worton and I will convince them. GEO. M. PORTER.

MR. B. F. FLEMING:—I have through the instructions of J. Frank Blair, Esq., of Chester, Pa., used on the "Round Top" farm several thousand bushels of Mogee's Schuylkill Lime, and it gave good satisfaction. I have also used it on my farm near Crumpton, and it acted well. I believe it is the best lime in the market, and expect to use it largely this Spring. JOSEPH S. FOWLER,

Round Top farm.

REFERENCES:

James A. Pearce, Esq., Chestertown, Md.	Wm. T. Nicholson, Worton.
Robert Nicholson " Hanesville.	David A. Smith, Edesville.
Rob't G. Nicholson " "	John W. Fowler, Flatlands.
Hyland P. Smith, Smithville.	Thomas Fowler "
Stephen Lecates, Chestertown.	J. E. Crew "
William Vannort " "	Samuel Beck, Delaney's Switch.
Jesse Morris " "	Barney Donnelly "

☞Persons desiring to use Lime, in any quantity, will find it to their interest to call and see me. Orders by mail also promptly attended to.

B. F. FLEMING, Chestertown, Md.

March 27, 1880.

Kennard & Co's Sterling Phosphate!

$23.00 CASH. $25.00 TIME.

THE GREAT SUCCESS of our Fertilizer last Spring has encouraged us to enlarge our Factory and adopt new and improved machinery, so that we are prepared to again offer our goods to the farmer, and guarantee a prompt and certain delivery of all orders. We respectfully invite the patronage of all, and are satisfied that a trial will insure the endorsement of those who use the "STERLING."

The following testimonials are a few of those received as to its work last Spring:

Chestertown, Md., Feb. 21st, 1880.

Dear Sirs:—Your Phosphate that I used on my Corn last Spring gave me great satisfaction. I also used your Wheat Phosphate last Fall; it is now looking as well as other Phosphates on the same land at a higher figure. I expect to use your goods next Spring. Yours, truly, COMEGYS BROWN.

Chestertown, Maryland, February, 1880.

KENNARD & CO.:—In reply to your question regarding the action of your Fertilizer, I will just state that I have only tried it on sugar beets. I applied it to my beets last Spring, putting it in the drill before I planted the seed, and notwithstanding the unfavorable circumstances to which the beets were subjected, the yield was far ahead of my most sanguine expectations. Yours, &c., I. C. TAYLOR.

Chestertown, Md., March 5th, 1880.

MESSRS. KENNARD & CO.—Gentlemen: I used your Phosphate last Spring on my Corn; applied it at the rate of one handful to three hills, and where I put it the yield was about twenty-five bushels to the acre; where I did not put any the yield was about ten bushels to the acre. On a portion of the same land I applied barnyard manure, and the result was about twelve bushels to the acre. Where I used your stuff the ear was large, well filled, and I could not find a worm in a hundred ears; the grains were large and close together. Where I did not use the Phosphate a great many ears were wormy and poorly filled. I can cheerfully recommend it, and will use more this spring. Yours, truly, GEORGE W. LONG.

☞We also keep on hand a full stock of Pure Dissolved and Ground Raw Bone Potash and other Chemicals, which we furnish at prices equal to any offered.

PLOWS! PLOWS! PLOWS!

"Ohio Chilled" & "Gibbs' Imperial"

At KENNARD & CO.'S.

Read the result of the late Plow Contest as shown by the report of the committee to the Kent Co. Agricultual Club, together with the opinion of the plowman, and be convinced as to which is the best Plow in the market:

Synopsis of Report:—"The Ohio Chilled Plow was the lightest and the Advance was the heaviest. The Ohio Chilled was 27.03 lighter to the cubic foot than the Oliver Chilled; 33.57 lighter to the cubic foot than the Roland Chill, and 169.08 lighter to the cubic foot than the Advance."

Chestertown, Md., March 6th, 1880.

J. E. NEWCOMB, ESQ.,—Dear Sir: You having been elected by the Judges, as plowman in the late plow contest, held on the farm of Mr. Wm. Morris, Tuesday, the 2nd inst., we would be pleased to have your opinion of the "Ohio Chilled" and "Imperial" Plow, entered by ourselves. Respectfully requesting an early reply, we remain, very truly. Yours, &c., KENNARD & CO.

Worton Station, March 8th, 1880.

MESSRS. KENNARD & CO.—Gentlemen: In answer to your question of March 6, about the Plows tried at Mr. Wm. Morris', of which I was plowman, I will simply state to you what I said to the Kent Co. Agricultural Club this afternoon, that of all the plows I handled, viz: the Advance, Roland, Oliver Chilled, Ohio Chilled & Gibbs' Imperial, that the Ohio Chilled and Gibbs' Imperial, as sold by you, were the best I have ever handled. I state this in justice to your Plows; not being pleased with them at first, am glad to say I was agreeably disappointed.

Very truly, yours, J. E. NEWCOMB.

☞We also intend carrying a full line of Agricultural IMPLEMENTS and are satisfied it will be to the purchaser's interest to examine our goods and prices.

KENNARD & CO.,

March 13, 1880. CHESTERTOWN

To Farmers!

Pure BONE Fertilizer—Sold only on Merit.

Highly recommended for CORN, Fruits, Vegetables, and all Crops, by the best Farmers in the State.

T. R. HUBBARD & SON,

MANUFACTURERS OF

And Pure Ground Bone.

Also, dealers in ALL KINDS OF FERTILIZING MATERIALS.

☞Highest price paid for Crude Bones.

☞Orders for our "STANDARD" respectfully solicited.

T. R. HUBBARD & SON,

March 6, 1880—12t. CHESTERTOWN, KENT CO., MD.

KENT COUNTY COMMISSIONERS' Annual Notice.

THE County Commissioners of Kent County will meet at their office in Chestertown, on

TUESDAY, the 16th day of March, 1880

at 11 o'clock A. M., and will continue to meet at the same place and hour on

EVERY TUESDAY,

Until the First day of June next,

for the purpose of noting transfers and correcting assessments.

All persons who have sold or transferred any assessable property since their last sitting for said purpose are particularly requested to attend at an early day to have the assessments corrected and adjusted.

After Tuesday, the 15th of JUNE next,

NO ALTERATIONS or corrections in assessments will be made for the present year.

☞All persons having ACCOUNTS against the County are requested to present the same on or before

TUESDAY,

The 15th day of June next,

otherwise they will be excluded from the levy for this year. All accounts properly chargeable to the county are requested to be made out in a clear manner and itemized, and rendered under oath.

All applications for PENSIONS must be made in writing, stating the condition and circumstances of the applicant and vouched for by three or more freeholders having a knowledge of the facts therein set forth.

N. B.—All persons neglecting to have their assessments corrected are hereby notified that no allowance for taxes paid in error in consequence of such neglect will be made.

THOS. P. DIXON,
C. P. LOPER,
TILGHMAN SHAFER,
WILLIAM V. LUCAS,
T. ROMIE STRONG.

Attest: T. W. RUSSELL, Clk.

March 13, 1880.

1880.

Established 1868.

J. B. SAPPINGTON

CROSS STREET,

CHESTERTOWN, MD.

Dry Goods, Notions, Boots and Shoes,

GROCERIES, PROVISIONS,

And dealer in Fancy Brands FAMILY, EXTRA and SUPER