

two and one-half inches in length, measuring from hinge to mouth, shall be included in said culling and replaced upon said bed or bar as taken.

*Tyler v. State*, 93 Md. 309.

1894, ch. 380, sec. 8. 1900, ch. 380.

**8.** Any person who shall have oysters in his possession which contain more than five per cent. of shells, and oysters less than two and one-half inches from hinge to mouth, which for the purpose of this article are declared to be unmerchantable oysters, shall be guilty of a misdemeanor, and in ascertaining such percentage the officers of the oyster police force and the measurers and inspectors are hereby authorized and directed to select such amount of oysters from any pile, hold, bin, house or other place as he may think proper and to require the same to be culled and disposed of, as provided in section 10 of this article; and any person violating any of the provisions of this section shall be subject to the penalties and fines as provided in section 10 of this article, in precisely the same manner as if he were a captain of a boat.

*Tyler v. State*, 93 Md. 309

1904, ch. 341, sec. 8 A.

**9.** The provisions of sections 7 and 8 shall not apply to any of the waters of the Potomac river above a line drawn from Cobb's Point bar, on the Maryland side, to Colonial Beach, on the Virginia side, but the taking of oysters in such waters shall be regulated by section 64 of this article.

1894, ch 380, sec. 9. 1900, ch 380.

**10.** It shall be unlawful for any packer, commission man or other person to purchase or receive any cargo or any part of a cargo of oysters unless a general inspector, measurer or special inspector shall be present, and said inspector or measurer shall cause to be culled any portion or all of the cargo necessary to determine the percentage of culls in said cargo and if the said percentage shall be more than five per cent. of unmerchantable oysters of the portion of cargo so measured, then the said cargo shall be deemed to be unculted and the captain, master or person in charge of such oysters shall be required to cull the whole cargo, and, in case said cargo contains more than five per cent. of unmerchantable oysters, be fined the sum of twenty-five dollars, and in addition to that the sum of six cents per bushel for the entire cargo, including all shells and oysters,