

## 2. COMMISSION OF TIDEWATER FISHERIES.

The provisions of this Article shall be administered by the Commission of Tidewater Fisheries as created by Chapter 508 of the Acts of 1941, and in administering the provisions of this Article, said Commission shall have all the powers conferred upon it by said Act, or any additional powers, duties and authority which may be conferred upon it by future sessions of the General Assembly of Maryland.

The creation of said Commission and its powers, duties and authority, as above referred to, are codified as Sections 5 to 11, inclusive, of Article 19A of the Code of Public General Laws of Maryland (Flack's Code, 1943 Supplement).

## 3. GENERAL PROVISIONS APPLICABLE TO THE TAKING OR CATCHING OF OYSTERS AND CLAMS.

(a) *Devices for Taking or Catching Oysters and Clams.* It shall be legal to take or catch oysters or clams in the waters of this State by rakes, tongs, patent tongs, dredges or hand scrapes; as defined in this Article, and by no other means.

(b) *Licenses.* No person shall take or catch oysters or clams for market in the waters of this State who has not been duly licensed as provided in this Article; except as provided in Section 5.

(c) *Residence.* No license shall be granted to any person to take or catch oysters or clams in the waters of this State who has not been a resident of the State for twelve months next preceding his application for a license.

(d) *Time for Taking or Catching Oysters.* It shall be unlawful for any person to take or catch oysters on Sunday or between sunset and sunrise of any other day.

(e) *Interference with State Buoys.* It shall be unlawful for any person other than a duly authorized officer of the Department of Tidewater Fisheries to move, destroy or deface any State buoy, marker, or monument placed in the waters of this State, or to fasten, tie or anchor any boat thereto.

## 4. OYSTER CULLING.

(a) *Merchantable and Unmerchantable Oysters.* All oysters taken from any of the waters of this State, either with scoops, dredges or any similar instruments, or tongs or rakes, shall be culled upon their natural bed or bar whence taken, and all shells shall be returned to the bed or bar from which they were taken, and all oysters whose shells measure less than three inches in length, measuring from hinge to mouth, whether