

CHAPTER 570

(Senate Bill 568)

AN ACT to repeal and re-enact, with amendments, sub-section 708(u) of Article 66C of the Annotated Code of Maryland (1957 Edition), title "Natural Resources", sub-title "Oysters and Clams", authorizing the taking or catching of privately cultivated oysters in Charles County in the Patuxent River by devices other than tongs and patent tongs.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That sub-section 708(u) of Article 66C of the Annotated Code of Maryland (1957 Edition), title "Natural Resources", sub-title "Oysters and Clams", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

708 (u). Methods of Taking or Catching Cultivated Oysters. A lessee is privileged to cultivate or remove oysters so planted on his leased area in any manner that he deems proper, provided he has complied with the law providing for the licensing of boats or tongs in removing them for market or transplanting; and provided, however, that no lessee or holder of any submerged area in Dorchester, Wicomico, Charles (*in waters other than the Patuxent River*), Queen Anne's or Kent Counties, or in the Manokin River in Somerset County, shall take or catch oysters on such leased land by any device other than tongs or patent tongs, and provided further that in Anne Arundel County no boat other than one in which the lessee or holder of any submerged lands has at least a partial interest shall operate over such leased land.

In Somerset County, between June 1, 1957 and December 30, 1958, a lessee may authorize a nonresident to take oysters by tong only as herein provided, upon condition that said nonresident exhibit said authorization in writing to the Department of Tidewater Fisheries and obtain therefrom a license to take said oysters from the leased grounds. The nonresident shall in all respects conform to the regulations provided in this article. The license herein provided shall cost \$15.00, which sum shall be paid to and for the use of the Department of Tidewater Fisheries, and said license shall be restricted to the leased oyster ground authorized by the writing of the lessee aforesaid. The Department of Tidewater Fisheries may at any time cancel any such license when in the interests of conservation and the proper cultivation of oysters in Somerset County, and in the interests of the residents of Somerset County, such cancellation in the discretion of the Department is advisable. This paragraph shall not be applicable after December 30, 1958.

Any person found guilty of violating the provisions of this subsection relating to Anne Arundel County shall be fined not less than \$100.00 nor more than \$1,000.00, and in addition to such fine the boat so used, with her cargo and equipment, shall be condemned and forfeited to the State of Maryland.

EXPLANATION: *Italics indicate new matter added to existing law.*

[Brackets] indicate matter stricken from existing law.

CAPITALS indicate amendments to bill.

~~Strike out~~ indicates matter stricken out of bill.