ST. MARY'S BEACON

LEONARDTOWN, MD.

THURSDAY MORNING, May 5, 1870.

To Correspondents.—The pressure upon our columns this week has forced us to postpone to our future issue several communications that have been received and were entitled to publication in the present number.

The New Oyster Law.—In deference to the wish of our community to see the New Oyster Law, passed at the late session of the Legislature, we surrender today a large share of our editorial space to give it early announcement, taking it from its regular order and connection among the general laws furnished us for publication and giving it precedence.—The publication is official and authorized and may be quoted as authority in all suits arising under it.

Crop Prospect.—The wheat crop of our county, as far as we have been able to ascertain, gives present promise of a prosperous yield. It is generally forward, in well set and looks healthy. We have been informed, however, that little over half the usual crop was seeded last Fall. Our farmers, generally, are curtailing from year to year the cultivation of this cereal from the conviction that it does not pay in the present condition of most of our lands and at present prices for fertilizers. Whether this be wise or otherwise, the fact is certain, that the production of wheat is yearly diminishing in our county, the aim with most of our farmers now being, to supply home consumption, to raise straw for manure and to enrich particular lots by obtaining sets of clover and other grasses.

Tobacco plants are plentiful and are growing off finely, at least in the central section of the county. It is expected that many beds will be sufficiently advanced for use by the 20th of the present month. There is less complaint of the fly than usual.

Our farmers are at present busily engaged pitching their corn crop. We noticed with pleasure during several recent rides that fields intended for corn looked to be much better prepared than commonly. The land in most cases presented a cleanly appearance and seemed to be well ploughed and pulverized. A great improvement in fencing was, also, we thought manifest. A heavier crop will be pitched this season, we would suppose, than usual.

The fruit bloom is prodigious, particularly apple. We noticed in several orchards, however, in this neighborhood that many valuable trees had perished since last season and that a considerable number were partially leafless and looked to be in decline. The "borer," a species of sea-worm, we believe, is supposed to be the cause. The fruit prospect is good, nevertheless, and the "gather" will be larger than usual, unless some unforeseen "wither" intervene.

Improvement.—Our energetic and efficient "city fathers" have entitled themselves to grateful recognition, not only for the general sanatory precautions they have taken during their past year's term of service for the health of our village, but for their labors in mending its bad "ways" and for their endeavors at its ornamentation. They have recently planted rows of aspen trees on either side of our main street, leaving equal space of sidewalk, generally, between tree and paling and sufficient for pleasant promenade. Heretofore all attempts at beautifying our town have been sporadic and irregular and mostly at private instance, and consequently only an indifferent perspective has been obtained. The introduction of consistency and unity in our municipal adornments, so far as practicable, is one of the merits of the present commissioners. Without sacrificing local, they have legislated for general effect, and the good result of their forethought in this matter, particularly if they shall hereafter be encouraged and supported to continue their efforts in the same direction, will in a few years be manifest in the appreciation of property in the village, in the bettering of its health and in the enhancement of its very great natural attractions as a place of visit and residence.

Washing Compound.—We promised, in a previous issue, to ascertain if Mr. Wm. F. Perry's "Washing Compound" had the merit claimed for it and to report progress in a future issue. Since that time, we have read certificates from several reliable parties, all of whom testify that the soap has the merit of cleaning clothes with very slight friction, in a third less time than when washed with ordinary soap, thus saving both time and labor and avoiding in great measure the wear and tear produced by rubbing. The certificates further state, that the washing is thorough by this soap, removing long-standing stains, deepening colors and leaving the clothes nice and clear. Our advice to readers is to try the soap and judge for themselves. Wm. A. Loker, Leonard Town, has it for sale.

Municipal Election.—On Monday last an election was held in our village for five Town Commissioners, and the result was, the return of the Old Board, nem. con., or nearly. Dr. Haw led the ticket one vote, the other Commissioners tying at 36. The members of the Board are, Dr. Henry Haw, Thomas Dillow, John F. Fenwick, David S. Briscoe and Joseph H. Key. Though privileged to vote, the negro men, residents of the town, from some cause or other, failed to exercise their new franchise, whether from indifference or for a purpose, we know not. It is certain, if they had offered to vote, their ballots would have been received and counted, nor would the public opinion of the town have suffered or countenanced any attempt to obstruct their voting or to molest them for so doing.—We have no doubt, however, that it will be made to appear at a distance that they were threatened with sword and bullet, fire and brimstone, in short, with the full contents of the whole seven vials of copperhead vengeance, if they even attempted to vote. A scorching editorial from Forney, a fiery speech from Sumner and a flaming bill from Drake, are the least we have to expect, and we expect all these in the course of a very few days. For an immortality like this, who would not forego the privilege of voting at a town election!

Personal.—We are gratified to know that the nomination made by the *Beacon* last Winter of our popular county-man, Col. James T. Blakistone, for the position of president of the Chesapeake and Ohio Canal Company, is being warmly seconded by distinguished and influential men in nearly every section of the State. The Colonel's friends, indeed, and their name is legion, are every where interesting themselves in his support and are pressing his claims for the place named with a confidence of manner and earnestness of feeling that indicate they have strong hopes of securing him the position. We have thought that it was befitting in us, as we were instrumental in bringing Col. Blakistone to public notice in this matter, to thank, as we do most heartily, the distant friends, who are laboring with us to compass his selection, for their timely and powerful aid, and to assure them that an ardent and united public sentiment here gratefully remembers the kind services they have rendered and are rendering in his behalf.

Accession to the Library.—The Library of the St. Mary's Reading Room and Debating Society has recently been enriched by the purchase of a hundred or more volumes of standard works, among which we have noticed Campbell's Lives of the Lord Chancellors, in ten volumes, English print and binding. The new purchase, with contemplated additions, soon to be made, has necessitated the erection of additional shelving in the Library room, which has already been accomplished under the directions of the attentive and accomodating librarian, Robert A Young, Esqr. We have been pleased to learn that the Society has authorized subscriptions to be taken to the four British Quarterlies, with Blackwood, and Bledsoe's Southern Review. We regard this as a most judicious investment, as it will enable members to keep themselves posted upon the directions of modern thought and in the current literature of the world.

Farmers' and Planters' Agency.—By reference to our advertising columns, it will be seen that Francis X. Simms, of our county, an old "Confed," by-the-bye, has established, in conjunction with William H. Owens, Esqr., a man of thirty years experience in active business, a Farmers' and Planters' Agency, at No. 7 Wood street, Corn Exchange, Baltimore, Md. The firm expect to do a general commission business also. Knowing Mr. Simms to be a young man of prudent habits, strict integrity and decided business capacity, we have no hesitation in recommending him to the favorable notice of the planters and farmers of his native county.

A Steamboat Wanted.—A steamboat, plying between Baltimore and Washington, is wanted to visit the wharves within the limits, and contiguous to Leonardtown, on upward and downward trips.—The citizens of our burg and suburbs, we are confident, would combine to justify a boat running up our bay as far at least as Foxwell's Landing. The present cost and inconvenience of reaching steamboat communication would induce an universal patronage on the part of our citizens of such an enterprize, both as regards freight and passengers.

Blackwood for April.—The April number of Blackwood is at hand and vies in interest and merit with preceding issues. We have spoken so often and so highly of this British monthly that we are beginning to be afraid we shall come to be suspected of having a personal interest in its circulation. This is not the case, but we owe to a desire to see a counsellor so wise and entertaining, of a moral tone so unexceptable, obtain as large an audience in our community as it deserves.—Published at 140 Fulton street, New York city.

Great Bargains.—The attention of the reader is called to an advertisement under this caption in another column.—Miss Irene Furck has recently returned from Baltimore with a full assortment of Millinery and Fancy Goods, which she is now selling at greatly reduced prices.—Give her a call.

DIED.

On the morning of the 27th of April, WALTER EUGENE, aged 10 years and 10months, son of James R. and Indiana Langley.

Trustees' Sale of valuable REAL ESTATE.

By virtue of a decree of the Circuit Court for Saint Mary's county, sitting in Equity, passed in a cause in which C C Lancaster is Complainant and Michael Connelly and Patrick Dougherty are Defendants, and bearing date of the 2nd day of March, 1870, the undersigned, as Trustees, will offer at public sale, at the Court House door in Leonardtown, on

Tuseday, the 31st day of May, 1870,

between the hours of 1 and 5 o'clock, p. m., the following Real Estate, to wit:

All those tracts or parcels of land located in the Second Election District of Saint Mary's county, Maryland, commonly called and known by the names of

ST. THOMAS AND TRUTH AND TRUST,

containing

725 acres,

more or less.

These lands lie in a compact body, are of fine natural soil and well adapted to the culture of the staple products of this section of the State. There is an immense quantity of fine

TIMBER

upon them, which can, with proper management, be made a source of considerable profit to the purchaser.

THE BUILDINGS

are ordinary, but the location is both healthy and convenient. Mills, Stores, Workshops, &c., are all to be found at the Clifton Factory which is but a short distance from this property.

TERMS OF SALE,

as prescribed by the decree, are, one-third of the purchase money in cash on the day of sale, and the balance in equal installments at one and two years credit—the deferred payments to be secured by the bonds or notes of the purchaser, with security to be approved by the Trustees, and to bear interest from the day of sale.

When all the purchase money shall be paid, the Trustees will execute a deed to the purchaser, free, clear and discharged from all claims of the parties to this suit and of those claiming under them.

ROBT C COMBS,
JAS S DOWNS, Trustees.

May 5, 1870—ts.

BANKRUPT NOTICE.

DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF MARYLAND.

In the matter of E Leo Spalding, Bankrupt. } In Bankruptcy

District of Maryland, ss.

THIS IS TO GIVE NOTICE, that on the 5th day of May, 1869, a Warrant of Bankruptcy was issued out of the District Court of the United States for the District of Maryland, against the estate of E Leo Spalding, of Leonardtown, in the county of St. Mary's in said District, adjudged a Bankrupt, on his own Petition: That the payment of any debts and the delivery of any property belonging to said Bankrupt, to him, or for his use, and the transfer of any property to him, are forbidden by law; and that a meeting of the creditors of said Bankrupt, to prove their debts, and to choose one or more Assignees of his estate, will be held at a Court of Bankruptcy, to be holden at the Law Office of Shelby Clark, in Upper Marlboro', before Shelby Clark, Esq., Register in Bankruptcy for said District, on the 16th day of May, A. D., 1870, at 12 o'clock M.

EDWARD Y. GOLDSBOROUGH,
U. S. Marshal for said District.

May 5, 1870—2t.

Farmers' and Planters' Agency

AND GENERAL

COMMISSION BUSINESS.

THE undersigned have formed a co-partnership under the name and style of

OWENS & SIMMS

with a view of conducting a Farmers' and Planters' Agency and General Commission Business at

No 7 Wood Street,
Corn Exchange Building,
Baltimore.

The Senior partner, having been engaged in the business over thirty years and being thoroughly conversant with this peculiar branch of trade, induces the firm to say that the highest prices for produce, especially grain and tobacco, will be returned to our patrons. The Junior would appeal to his friends and fellow-countymen to patronize him in his efforts to establish a reliable agency for the transaction of business intrusted to their care.

Especial attention will be paid to the sampling of consignments of tobacco and grain.

Orders for Fertilizers, seeds, groceries, &c., filled at the lowest market rates.

WM. H. OWENS,
F. X. SIMMS,

May 5, 1870—3m.

GREAT BARGAINS! GREAT BARGAINS!!

MISS IRENE FURCK has just returned from Baltimore with a full and carefully selected stock of

Dress and Fancy Goods,

including PIQUE'S, very cheap, with MILLINERY of all kinds and of the very latest styles. Her entire stock having been purchased at prices approaching gold rates, and as she is willing to sell at a small advance for cash, she believes that ladies will find it to their interest to give her a call before purchasing elsewhere. Grateful to her friends and the public for past encouragement, she respectfully asks for a continuance of their favors.

may 5, 1870—tf.

RATIFICATION NOTICE.

John D Freeman
vs.
Wm Mitchell Freeman.

In the Circuit Court for St Mary's county, sitting as a Court of Equity.
No 353 E.

ORDERED, this 4th day of May, 1870, that the sale of the real estate mentioned in the second report of John D Freeman, Trustee, in this cause, be ratified and confirmed, unless cause to the contrary be shown on or before the 1st Monday of June next; provided a copy of this order be published in the St Mary's *Beacon*, once a week for three successive weeks prior to the said 1st Monday of June.

The Report states that the land mentioned sold for $6250.

[illegible]FORD, Associate Judge.

True copy—Test:
JNO A CAMALIER, Cl'k.

may 5, 1870—3w.

CONFIRMATION NOTICE.

F F Spalding
vs.
Saml E Spalding &
John T Spalding.

In the Circuit Court for St Mary's county, sitting as a Court of Equity.
No. 241 N Equity.

ORDERED, this 4th day of May, 1870, that the sale made and reported by Jo F Morgan, Trustee, in this cause, be ratified and confirmed, unless cause to the contrary be shown on or before the 1st Monday of June next; provided a copy of this order be inserted in the Saint Mary's Beacon, once a week for three successive weeks prior to the said 1st Monday of June.

The report states that the land sold for $1,330.

JNO A CAMALIER, Cl'k.
True copy—Test:
JNO A CAMALIER, Cl'k

may 5, 1870—3w.

State Laws.

LAWS—GENERAL.

PASSED BY THE

GENERAL ASSEMBLY OF MD.

At the January Session, 1870.

PUBLISHED BY AUTHORITY.

CHAPTER 364.

AN ACT

To repeal the Act passed at January Session, eighteen hundred and sixty-eight, chapter four hundred and six, entitled 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.

Sec. 1. Be it enacted by the General Assembly of Maryland, That the Act passed at January session, eighteen hundred and sixty-eight, chapter four hundred and six, entitled 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, be and the same is hereby repealed, and the following enacted in lieu thereof:

Sec. 2. And be it enacted, That no canoe, boat or vessel of any kind or description whatever shall be used or employed in taking or catching oysters for sale, in the waters of this State, with scoop, scrape, drag, dredge or any similar instrument, without having first been licensed as hereinafter provided for.

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 in the United States in said State, issue to such resident a license to use or employ the said boat or vessel in catching or taking Oysters with scoop, scrape, drag, dredge or any similar instrument, within the waters of the Chesapeake Bay, according to the limits prescribed in this Article, and to buy and sell Oysters in this State; Provided, that said license shall not authorize the catching or taking of Oysters with scoop, scrape, drag, dredge, or other similar instrument, between the fifteenth day of May and the fifteenth day of 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 catching or taking 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 this State for the twelve months next preceding such application; and the owner or owners and master of such boat or vessel when making application for such license, shall each make oath or affirmation before the Comptroller, or his authorized clerk, that they are *bona fide* owner or owners and master of the said 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; that there is no lien on such boat or vessel held by a non-resident; that the said boat or vessel is not held with an intention or under an agreement to return her at any subsequent time to any non-resident, and that they will comply with and obey all the laws regulating the catching or taking of Oysters in the waters of this State; and such applicant shall produce before the Comptroller, or his authorized clerk, at the time of such application, the Custom House enrollment or license of such boat or vessel.

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 to do so by any officer of the State of Maryland, or other person authorised to demand the same.

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 conviction thereof by any Judge of the Circuit Court or Justice of the Peace, before whom such case may be 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 Judge or Justice of the Peace; but nothing in this Article shall be construed to prohibit masters or owners of boats or vessels from other States from buying or purchasing Oysters within this State from any person or persons authorized by law to sell the same.

Sec. 7. And be it enacted, That any resident of this State owning or having in his possession any canoe or other boat under Custom House tonnage, and desiring to use the said canoe or boat in taking or catching Oysters for sale, 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 or intend to use the said canoe or boat in taking or catching Oysters for sale, with rakes or tongs, a license therefor, and such license shall have effect from the first day of June, in the year in which it may have been obtained, to the first day 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, river, cove, 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 the counties bordering upon 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; nor authorise the taking or catching of Oysters in the Patuxent river, between the twentieth day of April and the tenth of October in each year, except the taking and catching be from lands previously located and appropriated, or for the purpose of preserving, depositing, and bedding the same, under the provisions of this Act.

Sec 8. 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 overall measurement,) of the canoe or other boat to be licensed, the county in which the same is to be used and the period at which said license shall 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 canoe or boat 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 feet 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 use or employ any canoe or other boat under Custom House tonnage, 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, upon 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 this State for the twelve months next preceding his application for said license; that he desires and intends to use the said canoe or boat only in the county in which his application is made; and that he will comply with and obey all provisions of 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 other boat on the outside thereof near the gunwale, in black figures, not less than three inches in length and of proportionate width, in a 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 neglecting or refusing to comply with this provision, before using or employing the said canoe or other boat, 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, one-half to be paid to the informer and the residue into the Treasury of the State.

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 May, June, September and December in each year, return to the Comptroller a list and account of such licenses issued by them; provided, that 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. 11. And be it enacted, That if any person shall use or employ any canoe or other 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 any 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, 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 into the Treasury of the State

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 thereof, 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 summons 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 wherein the said warrant is issued, 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 abandon the said canoe, boat or vessel and flee so as to escape arrest, the officer endeavoring to make such arrest, shall seize such canoe, boat or vessel, and give information of such seizure to some Justice of the Peace, or Judge of the Circuit Court most convenient or accessible from the place where such offence shall have been committed, and it shall be the duty of the said Justice of the Peace or Judge to docket a case in the name of the State against the said canoe, boat or vessel, and to proceed without delay with the trial of the same, and if there is sufficient proof that said canoe, boat or other vessel has been used or employed in violating any of the provisions of this Article, the said Justice of the Peace or Judge shall either render a judgment of condemnation against the said canoe, boat or vessel, her tackle and furniture on board at the time of seizure, or fine the said canoe, boat or vessel, if under Custom House tonnage, not less than five nor more than twenty dollars; and if over Custom House tonnage, not less than fifty dollars nor more than five hundred dollars; one-half of said fine to be paid to the informer and the residue into the Treasury of the State.

Sec. 15. And be it enacted, That any person resisting any 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 Circuit Court having jurisdiction, shall be fined not less than fifty dollars, or more than five hundred dollars, or be imprisoned in the jail of the county wherein the case is 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, or any similar instrument, in taking or catching oysters in any river, creek, cove, inlet, bay or sound within the limits of any county or lying between two or more counties of this State, or on any oyster bed, bar or rock within one half miles of Talley's Point, Sandy Point, Hackett's Point, Thomas' Point, the Three Sisters' Holland's Point Bar, or on or about Plum Point and Parker's creek, on the western side of the Chesapeake Bay, and Swan Point on the eastern side of said bay and Eastern bay, inside of a line drawn from the south-west extremity of Kent Point to north-east extremity of Poplar Island; and any owner, master, employee or other person so offending, shall, upon conviction thereof before any Justice of the Peace, or any 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 neither 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 wherein such boat, vessel, or other property may have been condemned, at public sale, to the highest bidder for cash, after giving twenty days' notice of the time and place of such sale, by advertisement in one or more newspapers published in said county; 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 of the Peace or Judge, and by such other notice as he may deem expedient; Provided, such sale shall not be made at a price *less than one-quarter* of the cash value of said boat, vessel, or other property; said valuation to be ascertained by three appraisers, to be appointed and sworn by said Sheriff, and who are not interested in said property; and the proceeds of such sale or sales, after deducting all the necessary and legal expenses of seizure, condemnation and sales, 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 into the Treasury of the State; And provided further, that if such seizure shall be made by the officers and crew of the Oyster 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 the State.

Sec. 18. And be it enacted, That any party or parties against whom any Justice of the Peace or Judge may render a judgment under this Article, either to pay a fine, or of condemnation of property, may, at any time within forty days from the rendition of said judgment, appeal from such judgment to the Circuit Court for the 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 or sureties, to the State of Maryland, in double the value of the property condemned, or of the fine imposed, as the case may be; the surety or sureties to be a resident or residents of the county in which the said judgment was rendered, and who shall swear or affirm that he or they are worth double the value of the property condemned or of the fine imposed, as the case may be, with condition to prosecute such appeal with effect, and to pay the value of the property condemned or fine imposed, and all costs attending such proceedings, in case such judgment shall be affirmed; and in all cases of appeal either party shall be entitled to trial by jury.

Sec 19. And be it enacted, That whenever any offence 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 Judge of the Circuit Court for any county, as the case may be, most convenient of access from the place where the offence may be committed, shall have jurisdiction thereof, and all proceedings, whether before a Justice of the Peace or before a Judge of 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, scraper, drag or dredge or of any similar instrument, shall be liable to seizure and forfeiture, and upon conviction thereof by any Justice of the Peace or Judge of the Circuit Court for 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 the 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 vessels under his command to be on constant duty, (unless the conditions of said vessels, or the inclemency of the weather prevent,) in the waters of this State, to overhaul and examine the licenses of all boats or vessels engaged in taking or catching Oysters in the 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, 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 vessels, 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 or a Judge of the Circuit Court for the county wherein the offense may have been committed, and if the offense shall have been committed outside the limits of any county, then to take the said person or persons before some Justice of the Peace or Judge of the Circuit Court most convenient or accessible from the place where the offense shall have been committed; and it shall be the duty of the Justice of the Peace or Judge before whom such person or persons shall have been taken by 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 or Judge shall proceed to try the same and render judgment as provided for in this Article.

Sec. 24. And be it enacted, That it shall be the duty of the officer alluded to in section twenty-two of this Article, to return to the Commissioners of the Oyster Police Force, at the expiration of every two months, 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 or Judge, 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 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 defence, and to procure attendance of witnesses, in which case the said Justice or Judge shall appoint a cer-