

Saint Mary's Beacon.

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LEONARDTOWN, MD., THURSDAY MORNING

283

ESTABLISHED 1822.

JOSIAH H. D. SMOOT,

DEALER IN

Lumber, Shingles, Laths,

NAILS, LIME, CEMENT, CALCINED
PLASTER, &c., &c., &c.

MANUFACTURER OF

FLOORING, DOORS, SASH, BLINDS,
FRAMES, MOULDINGS, MANTELS,
BRACKETS AND ALL KIND OF
WOOD WORK.

Office and yard No. 21 North Union St. Fac-
tory Nos. 13 and 15 North Lee St.

ALEXANDRIA, VA

Seasoned Lumber and flooring kept
under cover.
March 18, 1886—y.

H. G. DUDLEY, J. W. CARPENTER,
W. J. EDWARDS.

DUDLEY & CARPENTER.

GENERAL

Commission Merchants,

No. 57 Light Street,

BALTIMORE.

Sell Tobacco, Grain & Country
Produce.

Particular attention given to the careful
sampling of Tobacco.
Jan 6, 1884—y.

UNDERTAKING!



I MOST respectfully inform the public that
I have just completed a new horse and can
furnish

Coffins and Caskets

of the latest styles. Gloss white COFFINS
and CASKETS for children a specialty.
Also WHEELWRIGHTING and BLACK-
SMITHING in all their branches. Very
thankful for all past favors, I solicit a con-
tinuance of the same.

EDWARD FAGAN,
Chaplin, St. Mary's county, Md.
Oct 2, 1884—y.

G. W. CARROLL, J. W. BRADLEY

CARROLL & BRADLEY,

GENERAL

Commission Merchants

FOR THE SALE OF

Grain and all kinds of Country Produce.

No. 16 Camden Street,

BALTIMORE.

REFERENCES BY PERMISSION.

Judge C. F. Goldsborough, Cambridge, Md.
Hon. D. M. Henry, Cambridge, Md.
T. J. Day & Co., Baltimore, Md.
Hurst, Burnell & Co., Baltimore, Md.
R. R. Butler, Trappe, Md.
Dr. H. W. Houston, E. N. Market, Md.
Nat. Farmers & Planters Bank, Baltimore,
Md.
Oct 18, 1883—y

NEW GOODS!

NEW STORE!

THE firm formerly known as Mrs. Blain &
Jones has mutually dissolved partnership
and will now be recognized as

Mrs. L. A. JONES & CO.

Thanking our patrons for past favors, we
solicit a continuance of the same. We as-
sure the public that our best efforts shall
be made to keep a handsome and fashionable
assortment of all

MILINERY,

FANCY &

DRESS GOODS.

Having just returned from Baltimore with
a well assorted stock, we are prepared to ac-
commodate the most fastidious customer.
Call and examine our stock.

Mrs. L. A. JONES & CO.

May 8, 1884—y

TO TAXPAYERS.

PERSONS indebted to me for taxes for the
year 1884 are requested to make imme-
diate payment, otherwise I shall be com-
pelled to collect the same by process of law.
W. J. WATHEN,
Late Tax Collector of 2d District.
Sept. 24, 85—y.

Under the Violets.

Her hands are cold, her face is white,
No more her pulses come and go,
Her eyes are shut to life and light,
Fold the white vestures, snow on snow,
And lay her where the violets blow.

But not beneath a graven stone,
To plead for tears with alien eyes,
A tender cross of wood alone
Shall say, that here a maiden lies
In peace beneath the peaceful skies.

For her the morning choir will sing
Its matins from the branches high,
And every minstrel voice of spring,
That thrills beneath the April sky,
Shall greet her with its earliest cry.

When turning round their dial track,
Eastward the lengthened shadows pass,
Her little mourners clad in black,
The cricket sliding through the grass,
Shall pipe for her an evening mass.

At last the roostles of the trees
Shall find the prison where she lies,
And hear the buried dust they seize
In leaves and blossoms to the skies;
So may the soul that warmed it rise!

If any, born of kindlier blood,
Should ask what maiden lies below,
Say only this: "A tender bud,
That tried to blossom in the snow,
Lies withered where the violets blow."

THE NEW OYSTER LAW.

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

Section 2. And be it enacted, That no steamer shall be used or employed in catching or taking 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.

Section 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 taking or catching oysters with scoop, dredge or similar instrument, within the waters of Chesapeake Bay, Potomac River and in Eastern Bay, outside of a line drawn from the southwest corner of Second Kent Point to Wade's Point; provided, that nothing herein contained shall authorize the taking or catching of oysters with scoop, dredge or similar instrument, to the west of a line beginning at Sandy Point Light-house, and running thence to Thomas' Point Lighthouse; thence in a straight line to the buoy off Horseshoe Point; thence by a straight line to Franklin Point; nor within one and one-half miles of Holland's Point Bar; nor of Swan's Point Bar; nor between Poplar Island and the mainland of Talbot county, south of a line drawn from the north point of Poplar Island to Lowe's Point on the mainland; nor north of a line drawn from the end of the south bar of Poplar Island to Paw Paw Cove, on Tilghman's Island; nor within one-fourth of a mile west of Poplar Island; nor within one half of a mile of Plum Point; nor within the boundary lines of any county, unless herein otherwise specified, which license shall hold good for one season only; and shall only authorize the catching of oysters between the fifteenth day of October and the first day of April, on which day the dredging season shall end and the license expire; but it shall be lawful for the owner of any such licensed boat, whenever said owner shall sell and convey by bill of sale, for a bona fide consideration, said boat to any person who has been a resident of the State of Maryland for at least one year, to transfer said license to said vendee, with said boat, which license when transferred shall entitle said vendee to the same privileges for catching or taking oysters, with said boat in the waters of this State, that the original vendor or assignor had before said assignment; provided said vendee and assignee shall appear before the Comptroller of the Treasury, and make oath before him to all the facts, matters and things required of said original vendor or assignor, before taking out such license, upon which said license the said Comptroller shall certify in writing the fact of said vendee or assignee having taken said oath, for which said certificate the said vendee or assignee shall pay to the said Comptroller the sum of five dollars, for the use of the State of Maryland.

Section 4. And be it enacted, That it shall not be lawful for the owner or master, or any person on board of any vessel in this State, to use any crank, spool, winder, or other machinery or equipment, for operating or handling scoops, scrapes, or dredges, or to have on board any vessel a scoop, scrape, or dredge, with intent to affix the same to said vessel for use in taking or catching oysters, without having first obtained a license to take or catch oysters with a scoop or dredge as aforesaid; and the fact of having such scoop, dredge or scrape on board of any vessel, shall be prima facie evidence of an intent to use the same contrary to this section.

Section 5. 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 may make oath before the Clerk of the Court of Common Pleas; or if a resident of the county, he may make oath before the Clerk of the Circuit Court for 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 hereinbefore prescribed; that there is no lien on said boat held by a non-resident, directly or indirectly; and that the said boat is not held, and shall not knowingly be used with an intention to violate or evade the provisions of this law; and such applicant shall produce before the Comptroller at the time of making such application, the certificate of the taking of such oath, and 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 Pleas, or before the Clerk of the Circuit Court of the county wherein 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.

Section 6. And be it enacted, That before granting such license the Comptroller shall receive for it, from the applicant, at the rate of two dollars per ton for every ton the boat may measure; and licenses may be issued after the beginning of the oyster season, at the rate of thirty-seven and one-half cents per ton per month, for the remainder of the season; and the license shall be exhibited whenever called for by any officer of the State of Maryland.

Section 7. And be it enacted, That any master or person in charge of any vessel who shall violate any of the provisions of the preceding sections, by taking oysters unlawfully, shall be deemed guilty of a felony, and upon indictment and conviction in any Circuit Court in this State, before which such case is tried, shall be sentenced to the penitentiary for a term, not less than one year nor more than three years, and the boat or vessel used in such violation, together with the papers, furniture and tackle on board of said boat or vessel at the time of said violation, shall be forfeited, but shall be released upon the payment of not less than one hundred dollars, nor more than five hundred dollars and costs, and expenses for each and every violation of the preceding sections, in the discretion of the Court.

Section 8. 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 summon 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 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; provided that any Justice of the Peace before whom any person is brought, charged with a violation of this Act, the punishment for which is imprisonment in the penitentiary, shall grant the parties charged a speedy hearing, and if, in his judgment, the facts appear to warrant a conviction, he shall hold the parties charged, for their appearance before the Grand Jury of the county for which he is appointed, at the succeed-

ing jury term of the Circuit Court.

Section 9. And be it enacted, That any person or persons who shall assist any officer authorized by this Act to make an arrest, shall be deemed guilty of a felony, and upon indictment and conviction in any court having jurisdiction, shall be sentenced to the penitentiary for a term, not less than one year nor more than three years, in the discretion of the court; the parties tried and convicted under this Act, shall have the cost of such trial paid by the Comptroller of the State out of the funds created by this Act.

Section 10. And be it enacted, That it shall be the duty of the four Justices of the Peace of the State, to be named in the Commission of the Peace, to issue warrants to arrest any person or persons, who shall be 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.

Section 11. And be it enacted, That the Judge or Justice of the Peace before whom any person or persons, or any vessel may be brought, charged with violating any of the preceding sections of this Act, shall either give the case or cases an immediate hearing, or at the instance of the party or parties charged, shall appoint some early day, within the next ten days, 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 appearance at trial, and the said vessel shall be held and safely kept at the cost of the party charged, or of the said vessel as the case may be; and in case the master, owner, or other person in charge of said vessel, shall not be arrested, then the vessel used in violation of this Act, shall be seized, and the charge against the same shall be heard by the said Judge or Justice of the Peace and she shall be dealt with as hereinafter provided; and if the said master, owner, or other person in charge of said vessel shall not appear after giving bail, as hereinafter provided, then in either case the Judge or Justice of the Peace may proceed to hear the case, and to determine whether or not the said vessel has been employed in violation of this Act, and any vessel so employed is hereby declared to be forfeited; and in case the said Judge or Justice shall find the vessel has been so unlawfully employed, then he shall declare the same to be forfeited, and shall so enter upon his docket, together with all her tackle, apparel, appurtenances, boats, sails and rigging, and she shall authorize and direct any Sheriff or Deputy Sheriff to sell said vessel, together with all the apparel, tackle, boats, and other things belonging thereto, at public auction, to the highest bidder, for cash, after giving at least twenty days notice of the time and place of said sale printed in some newspaper published in the county in which the case may be tried; and the said officer shall be allowed the actual expenses of seizure, sale and keeping of said vessel and poundage fees, and the proceeds of said sale shall be first applied to the payment of all the costs, charges and expenses of the seizure, trial and sale of the said vessel, and the balance of said proceeds, if any, shall be paid to the Clerk of the Court as herein provided, and by him to the Comptroller, to the credit of the oyster fund, unless a part thereof be remitted, as provided for in section seven; provided, that the owner, or any other person having any mortgage or any other lien on the said vessel, shall in all such cases have the right of appeal to the Circuit Court at any time within sixty days after judgment rendered, and upon the trial of said appeal the Court shall have the right to amend the warrant, or any of the proceedings before the Justice of the Peace, so as to bring the case to trial upon its merits; provided, that no new offense shall be charged; and in case that such an amendment shall work a surprise to defendant, he shall have further time to prepare for trial, and the rules governing amendments in cases originating in said Court shall govern such amendments, so far as they are applicable; and upon bond in an amount equal to the value of the said vessel being given by the person praying the appeal, satisfactory to said Justice, the said vessel may be released, pending the said appeal; and in any case in which the owner may

apply to the Court having jurisdiction, and shall show that the unlawful employment of said vessel was without his sanction or authority, the said Court may order the proceeds of said vessel to be returned to him, or to any person having a lien on said vessel, and may distribute the funds according to the priority of the several claims and liens, and any persons having a lien may file a petition, and the Court, if the interests of justice will permit, may allow him a portion of said proceeds; but in all such cases the Court shall retain a sufficient sum to pay costs, charges, expenses, and a reasonable and proper equivalent to a fine, and amendments shall be allowed, as before provided, in all cases of appeal from the judgment of Justice of the Peace in cases where a violation of any local oyster law or laws is charged.

Section 12. 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, is hereby declared to be forfeited, and shall be condemned by order of any Judge of the Circuit Court nearest the place of her capture; or if captured in Baltimore City, by order 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 twenty days' notice of the time and place of sale; such notice to be published at least three times in a newspaper 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 capture, including the officers and crews of the Fishery Force, and the balance shall be paid into the Treasury of the State, to be credited to the oyster fund.

Section 13. And be it enacted, That the fine accruing under 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 court of the county or city, where such fine may accrue, and such clerk shall account for the same in his next quarterly return to the Comptroller of the Treasury, to be placed to the credit of the oyster fund.

Section 14. And be it enacted, That it shall be unlawful for any person or persons to take or catch oysters or have oysters in his or their possession between the twenty-fifth day of April and the first day of September in each and every year, provided that oysters caught before the twenty-fifth day of April, may be disposed of at any time before the fifth day of May; and provided, this section shall not prevent transportation companies from carrying oysters brought from other States, nor hotel and restaurant-keepers or private persons from purchasing oysters caught outside of the State of Maryland; nor shall it be construed to prevent any person from taking oysters for private use and not for sale from his private beds, anywhere within this State at any time; any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction by a Justice of the Peace of the county, wherein the offence was committed, shall be fined not less than fifty, nor more than two hundred dollars, or imprisoned in the House of Correction for not less than three months nor more than three years, in the discretion of the Justice trying the same.

Section 15. And be it enacted, That it shall be unlawful for any person or persons, to take or catch oysters on Sunday or at night, and any person or persons violating this section, shall on conviction thereof, 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 canoe used in violation of this Act, at the discretion of the Judge or Justice of the Peace trying the same.

Section 16. And be it enacted, That the Comptroller of the Treasury shall have painted in black figures, on white canvases, two sets of numbers, corresponding to the license to catch oysters with scoop, 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 about 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 upright position, and worn at all times during the dredging season, and returned at the end of the 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 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 Justice of the Peace trying the same, shall be convinced that the provisions of this section have been intentionally violated, and in any such case the boat or vessel shall be forfeited, and may be condemned, in the discretion of the Judge or Justice of the Peace, in the manner provided in section eleven of this Act.

Section 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 wherein he may reside, a license therefor, and such license shall have effect from the first day of September, in the year in which they may have been obtained to the twenty-fifth (inclusive) day of April 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 or 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 Queen Anne's and Kent Counties from using the waters of Chester river, in common; or the citizens of Dorchester and Wicomico Counties 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 the citizens of Dorchester and Talbot counties from using the waters of the Choptank river in common.

Section 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 used in 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 white tongers shall go to white schools; and the sum received from colored tongers, shall go to the colored schools.

Section 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 the waters used in common, as herein provided in this Act; that no non-resident of Maryland, is interested in the said canoe or other boat or in the use thereof; and that he will not allow the same to be used for taking oysters by non-residents of the county, or on account of non-residents of the county, who shall not

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 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 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 and costs are paid.

Section 20. And be it enacted, That the Comptroller of the Treasury shall cause to be printed and delivered to the Clerk of the Circuit Courts for 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 in each year, return to the Comptroller a list and account of such licenses issued by them, and at the end of each tonging season, shall return all unused licenses to him, and no licenses 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.

Section 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, he shall upon conviction thereof before a Justice of the Peace for the county wherein the offense has been committed, be fined not less than twenty nor more than one hundred dollars, and in case of refusing to pay the said fine, said party shall be confined in the House of Correction for a period of not less than three months nor more than three years, and in any such case the boat or vessel shall be forfeited, and may be condemned, in the discretion of the Judge or Justice of the Peace, in the manner provided in section eleven of this Act.

Section 22. And be it enacted, That all moneys arising from fines, penalties or forfeitures 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.

Section 23. 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 ammunition as may be necessary to make them efficient, and the officers of such boats shall be authorized to use such arms in their discretion for the enforcement of the provisions of this Act.

Section 24. And be it enacted, That for the 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 Talbot and Dorchester the third; the waters of Wicomico the fourth; the waters of Somerset coun-

ty shall be the fifth; the waters of Dorchester and Wicomico shall be the sixth; and the waters of Kent county and Queen Anne's shall be the seventh.

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