

son so charged by oath as offending, and issue a warrant at once to some one of the constables or sheriff of such county, for the arrest of the party charged in said oath with such violation, to be brought before such justice for trial; and said constable or sheriff shall seize the boat, tackle, nets and other equipments owned by or in the possession of such person so charged with such violation, when such violation occurred, or at the time of such arrest, and safely keep such property so taken during the time pending the trial for such offence so charged; and if upon such trial the justice of the peace shall enter judgment for the State, such person against whom such judgment shall be rendered, shall be fined not less than twenty nor more than fifty dollars for each and every offence, in the discretion of the said justice of the peace; one-half of which fine shall be paid to the informer, the other half to the school fund of the county where such judgment is rendered; and if such fine is not paid within five days from the date of such judgment, the said justice of the peace shall, on the sixth day thereafter, enter judgment of condemnation against the boat, tackle, nets or other equipments of such offender, which had been seized by the officer aforesaid; which said boats, tackle, nets or other equipments shall, after ten days' notice, be by the said officer sold to the highest bidder for cash, and from the proceeds of such sale he shall deduct the fees allowed to constables upon executions, and the costs incident to such trial and judgment, together with such expenses as such officer may have incurred in the taking and keeping of such property, and shall then divide the residue between the informer and the schools of the county, equally; said officer not to be liable for any damages for loss of said property while in his custody, which may occur without fault on his part.

1888, ch. 151.

173. Any commanding officer of any one of the oyster police sloops or steamers, either upon view or information derived from any other person, of a violation of any of the provisions of sections 168 to 172, shall be authorized and empowered, and it is made his duty to arrest and take into custody such person so as aforesaid offending, and the boatmen or other persons found in said boats, and carry such offenders before some justice of the