

CHAP. 305. miss the same, at the cost of the county, but if he shall be of opinion, that any wild ducks, or other wild fowl, have been shot at or killed in violation of this law, he shall impose fines of not less than five dollars nor more than fifty dollars on each and every person engaged directly or indirectly therein for each and every offence, and he may commit him or them to the county jail, in the event of their not paying the fines thus imposed, if the officer making the arrest and seizure desire it, and if committed, the officer who desired the commitment shall pay the jail fees, at the rate of twenty-five cents per day, and in case of a failure to pay the said fees for the space of three consecutive days, the party whose jail fees have thus remained unpaid, shall be discharged from confinement, and he shall adjudge and condemn, as forfeited to the said officer and to the person or persons who may have aided him in making the arrest and seizure, the boat or vessel in the possession of the officers, together with her papers, furniture, tackle and apparel, and all things on board of her at the time of her seizure, and all or any property in the possession of the said officer, found, seized and taken as aforesaid, and the said officer, with the persons who aided him in making the arrest and seizure, shall sell the same to the highest bidder after ten days notice.

Right of appeal
secured

SEC. 3. *And be it enacted*, That if any person or persons convicted of offending against this act, shall think himself or themselves aggrieved by such conviction, he or they shall be at liberty to appeal from the judgment of the justice of the peace, at any time within ten days from the rendition thereof, to the county court, the justices of which are hereby empowered and directed, upon the petition of the applicant or applicants, in a summary way, and without any unnecessary delay, to hear the allegation and proofs in the case or cases, and to affirm or reverse the judgment or judgments of the justice of the peace, as to them may seem right, and in case of affirmance, to adjudge to the State the costs incurred in defending the said appeal, and it shall be in the election of the said appellant or appellants, to have a decision in a summary way by the justices, or a trial by jury before the said county court.

Not to stay
proceedings

SEC. 4. *And be it enacted*, That the proceedings on the judgment or judgments of the justice of the peace shall not be stayed by any appeal, unless the appellant or appellants, within ten days after the rendition of the same, shall enter into an appeal bond to the State, with two sufficient securities, to be approved by the said justice, in a penal sum of double the amount