

the possession or use of the person or persons charged, shall be considered as *prima facie* evidence of guilt.

202. If, after a full investigation, the said justice shall think the charge groundless, he shall immediately dismiss the same, at the cost of the county; but if he shall be of the opinion that any wild ducks or other wild fowl have been shot at or killed, contrary to section 198 of this article, he shall impose fines of not less than five dollars nor more than fifty dollars on each person engaged directly or indirectly therein, for each 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.

203. The justice shall also 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 craft 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.

204. If any person so convicted shall think himself or themselves aggrieved by such conviction, he 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 Circuit Court of said county; the judge of which is hereby directed, upon the petition of the applicant, in a summary way and without any unnecessary delay, to hear the allegations and proofs in the case, and to affirm or reverse the judgment of the justice of the peace, as to him 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 to have a decision in a summary way by the judge of said court, or a trial by jury before the said Circuit Court.