

against the person or persons so convicted, but on payment by the said person or persons so convicted of the fine imposed, and all costs and jail expenses, if the person or persons so convicted be confined in the county jail, the gun, net, fire-light or boat shall be released; provided, that the fine, costs and jail expenses be paid before the sale of the gun, net, fire-light or boat, under the provisions of this act.

Duty of Sheriff  
or Constable

SEC. 8. *And be it enacted*, That it shall be the duty of the sheriff, or any constable of Worcester county, with or without warrant, to seize and take into custody, any gun, net, fire-light or boat, which has been used by any person or persons in violating any of the provisions of this act, and give information of said seizure to some justice of the peace of Worcester county; and it shall be the duty of said justice of the peace to docket a case in the name of the State, against the said gun, net, fire-light or boat, and to proceed without delay with the trial of the same, and if there is sufficient proof that said gun, net, fire-light or boat, has been used or employed in violating any of the provisions of this act, the said justice of the peace shall either render a judgment of condemnation against the said gun, net, fire-light or boat, or fine the said gun, net, fire-light or boat not less than ten dollars, one-half of said fine to be paid to the informer: provided, that, if said gun, net, fire-light or boat, shall have been sold to a *bona fide* purchaser thereof since the same has been used in violating any of the provisions of this act, the said gun, net, fire-light or boat shall neither be condemned nor fined.

Not to apply

— *And it is further enacted*, That the provisions of this section shall not apply to any case where the person or persons using the said gun, net, fire-light or boat have been arrested.

Condemned  
and sold

SEC. 9. *And be it enacted*, That all guns, nets, fire-lights or boats, with the tackle and furniture on board, condemned under the provisions of this act, shall be sold by the sheriff, or some constable of Worcester county, at public sale, after giving twenty days notice of the time and place of such sale, by advertisements, posted in at least two public places in the vicinity of said sale, to the highest bidder for