

1904, art. 39, sec. 52. 1888, art. 39, sec. 53. 1870, ch 205, sub-sec. 4.

52. If any person shall fish for shad or herring in the Potomac river, or its tributaries aforesaid, without having first obtained a license, as required in the three preceding sections, except fish caught for private use and not for sale, he shall, upon conviction thereof, be fined not less than twenty nor more than one hundred dollars, for the first offense, and for any second or subsequent offenses be so fined, or in the discretion of the justice or court before whom tried, shall forfeit the seine, or net, boat and other outfit used in such fishing; or be both fined, and subject to the forfeiture aforesaid; one-half of such fine to be paid to the informer, and the residue to the comptroller of the treasury.

Ibid. sec. 53. 1888, art. 39, sec. 54. 1870, ch. 205, sub-sec. 5.

53. Every person to whom such license shall be granted shall also be required to put the number of his license on each bow of his seine or gilling-boat, outside, between the water line and gunwale, to be painted with red oil paint on a white space, and each figure to be not less than three inches in height, and of proportionate width; and anyone violating or refusing to comply with this provision shall on conviction thereof before a justice of the peace of the county in or opposite to which he may be fishing, pay a fine of not less than five nor more than ten dollars; one-half to be paid to the informer, and the residue to the comptroller of the treasury.

Ibid. sec. 54. 1888, art. 39, sec. 55. 1870, ch. 205, sub-sec. 6.

54. Upon information given upon oath to any justice of the peace having jurisdiction of any violation of any of the provisions of the five preceding sections, he shall issue his warrant for the arrest of the offender or offenders, and for the seizure of the seines, nets, boats, and other fishing outfit, in cases when forfeiture of the same is provided, which shall be directed to the sheriff, or any constable of the county or other officer authorized to arrest under this article, to be dealt with according to law. And it shall be the duty of any sheriff, constable or other officer so authorized, with or without warrant, to arrest any person violating the provisions of any of said five preceding sections, and to seize any such seine, net, boat or other fishing outfit in cases where forfeiture of the same is provided, and found being used in violating any of said provisions, and to bring such offender before a justice of the peace most accessible or convenient, to be dealt with as herein provided.

Ibid. sec. 55. 1888, art. 39, sec. 56. 1870, ch. 205, sub-sec. 7.

55. All vessels or other property condemned under the provisions of any of the six preceding sections shall be sold by the sheriff or other officer making the seizure, on ten days' notice; and the proceeds of sale, after deducting the expenses thereof, shall be paid over to the clerk of the circuit court for the county, to be disposed of as herein provided.

*Cf. art. 72, sec. 29.*