

by a fine of not less than one hundred dollars nor more than five hundred dollars, and may, in the discretion of the court, in addition, be confined in the Maryland house of correction for not less than three nor more than six months.

1904, art. 56, sec. 129. 1904, ch. 485, sec. 3.

131. Whenever any constable or the sheriff shall arrest any person or persons composing such band or bands, as aforesaid, he shall seize all the property in the possession of such band or any of its members, and hold the same until after the trial of the person or persons so arrested; and if at the trial such person or persons, or any of them, shall be convicted of a violation of any of the provisions of this sub-title, then the constable or the sheriff, as the case may be, shall proceed to sell the same, or so much thereof as may be necessary, after giving at least ten days' notice of the said sale, to satisfy and pay the fine or fines and the cost adjudged against the person or persons so convicted, together with the cost and expenses of keeping such property; and such constable or sheriff, as the case may be, shall be entitled to the same fees for the taking and selling such property as are allowed to the sheriff of the said county where the offense is committed, for seizing and selling personal property under a writ of *feri facias*; provided, that when any person or persons composing such band or bands as aforesaid shall be arrested as provided in this sub-title, the constable or sheriff making such arrest or arrests shall, upon request of such person or persons so arrested, take him or them before the clerk of the circuit court for said county, and if the person or persons so arrested, or any other person, shall at any time or within five days thereafter take out such license as provided in section 129 of this sub-title for the band of which the person or persons so arrested are members, then the constable or sheriff, as the case may be, upon the production to him of a written notice signed by the said clerk that a license has been issued for the band of which the person or persons in his custody are members, and the payment to him of all costs and expenses of the arrest or arrests or the seizure of the property, as aforesaid, and the further sum of ten dollars for each and every person so arrested and in his custody, shall release such person or persons, and shall pay over the amount or amounts so collected, after deducting all costs, as aforesaid, as the same would be paid were it a fine imposed by the circuit court.

Ibid. sec. 130. 1904, ch. 485, sec. 4.

132. It shall not be necessary for a conviction for violations of any of the provisions of this sub-title for the State to prove that any person or persons charged with any such violation has or have no permanent place of abode in this State, but the burden of proving that such person or persons have a permanent place of abode in this State shall be upon the traverser; provided, however, that these provisions shall not apply to Allegany, Baltimore and Garrett counties.