

such boat, to use or permit the use of such boat for any of the acts above prohibited, or to loan or hire such boat at any time to any person without making due inquiry into the purpose of those applying for the use of such boat and becoming satisfied that those applying for the use of such boat intend to use the same exclusively for other purposes than the violation of the provisions of this Section, and that such persons are not equipped with and do not place in such boats any guns or ammunition suitable for shooting water fowl.

(b) If any such power boat impelled by sail or engines of any description be found in or near the waters where water fowl are then and there using or bedding, having on board guns or other paraphernalia commonly employed in the hunting of water fowl, or if any shots shall be fired from any such boat at or in the vicinity of water fowl where bedded in the waters aforesaid, or if any such boat propelled by engine or sail shall be proven to have moved in the direction of such water fowl so bedded, for purpose of causing such water fowl to fly from the place or waters in which they shall have been then and there bedded, such fact or facts, or any of them, shall be accepted as *prima facie* evidence of an intentional violation of the provisions of this section on the part of each person on board of such boat, and of the ownership of such boat and of the guns and paraphernalia thereon by the persons so convicted.

(c) Each and every person on board of any boat by or from which water fowl shall be unnecessarily disturbed or in which water fowl shall be hunted, or from which water fowl shall be shot at in violation of the provisions of this Section, shall be deemed guilty of a misdemeanor, and upon conviction thereof each person convicted shall be fined not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Dollars (\$200.00) for each offense, and in addition to such fine or fines all boats used by said offenders and the guns and paraphernalia found in or on such boats or in possession of such persons so convicted, or used in such violation of the provisions of this Section, shall be adjudged confiscated, and shall be disposed of by the Game Warden as he may deem advisable for the best interests of the State.

1927, ch. 568, sec. 39. 1929, ch. 366, sec. 39. 1931, ch. 528, sec. 40. 1933, ch. 130, sec. 40.

**41.** All owners of riparian rights, their lessees or licensees on the waters of this State shall, by virtue of said ownership, be first entitled to make a choice of the "set" or position in front of the property of which they are the owners of the riparian rights, lessees or licensees, for the purpose to erect, set or maintain booby, brush or stake blind or blinds, provided, that said riparian owners, their lessees or licensees shall avail themselves of said choice of localities and clearly mark the same on said waters by erecting a stake, on which shall appear the license number of each blind and the licensee's name as hereinafter provided on or before October 10th of each and every year, and said blind or blinds licensed prior to October 10th must be erected on or before November 10th and said blind or blinds licensed after November 10th must be erected on or before twenty days thereafter, except as herein provided.

(a) For the protection of shoreowners, their lessees or licensees, desiring to locate a blind or blinds on their shore, the purchase of a license as herein provided and the establishment of a stake on which shall be painted the license number and the name of the licensee, such stake not to exceed the lawful distance from shore and be established in the water, when said