

them to prepare for his or their defense, and to procure attendance of witnesses, in which case the said justice shall point a certain day for the trial of the same, and shall cause the said party or parties to enter into recognizance with sureties approved by said justice, in a sum not less than five hundred dollars, for his or their appearance on said day; said security or securities to be resident or residents of the county in which the justice resides, and shall swear or affirm that he or they are worth double the amount of the recognizance required, and in default thereof may commit the said party or parties to jail; and if upon said trial it shall appear to the satisfaction of said justice that any violation of this article has been committed by the party or parties, and that said boat or vessel has been used or employed in said violation of this article or any of its provisions, the said justice shall render a judgment of condemnation against the said boat or vessel, her tackle and furniture on board at the time of her seizure, or fine the said party or parties at his discretion as hereinbefore provided.

Recognizance

Commitment.

Judgment

Ibid s. 26.
Taking oysters
on Sunday.

Penalty.

Ibid s 27.
All moneys
paid to treas-
urer

Duty of comp-
troller.

25. It shall be unlawful for any person or persons licensed under any of the provisions of this article to take or catch oysters on Sunday, and any person or persons so offending shall be liable to indictment for a misdemeanor in any court having criminal jurisdiction in the state, and upon conviction thereof shall be fined a sum not less than fifty nor more than two hundred dollars, or be imprisoned not less than twenty nor more than sixty days, in the discretion of the judge trying the same.

26. All moneys arising from the sale of licenses, or from fines, penalties and forfeitures imposed under this article, shall, by the comptroller, be paid into the treasury, and placed to the credit of the oyster fund, and the comptroller is hereby required to state in his annual report, particularly, the receipts and expenditures on account of said fund, and the balance standing to the credit of the state at the time of making such report.