

ele nineteen of the code of public local laws for Somerset county, relating to oysters.

Ibid. s. 17.
Property con-
demned to be
sold.

Notice.

Proviso.

Division of
proceeds.

Proviso.

Ibid. s. 18.

Appeal

Bond

16. All boats, vessels or other property condemned under the provisions of this article, shall be sold by the sheriff of the county wherein such boat, vessel or other property may have been condemned, at public sale, to the highest bidder for cash, after giving twenty days notice of the time and place of such sale, by advertisement in one or more newspapers published in said county; but if the articles condemned be perishable in their character, then the notice may be shorter than twenty days, at the discretion of the justice of the peace or judge, and by such other notice as he may deem expedient; *provided*, such sale shall not be made at a price less than one-quarter of the cash value of said boat, vessel or other property; said valuation to be ascertained by three appraisers, to be appointed and sworn by said sheriff, and who are not interested in said property; and the proceeds of such sale or sales, after deducting all the necessary and legal expenses of seizure, condemnation and sales, shall be divided, as follows, to wit: one-fourth to the officer making the seizure; one-half of the balance to those aiding the officer to make such seizure, and the residue shall be paid into the treasury of the state; and *provided*, further, that if such seizure shall be made by the officers and crew of the oyster police force of the state, hereinafter provided for, then such portion as would accrue to them under the provisions of this section, shall be paid into the treasury of the state.

17. Any party or parties against whom any justice of the peace or judge may render a judgment under this article, either to pay a fine or of condemnation of property, may, at any time within forty days from the rendition of said judgment, appeal from such judgment to the circuit court for the county wherein the same may have been rendered; but no execution or sale shall be stayed unless the party appealing shall give bond, with surety or sureties, to the state of Mary-