

cognizance of the same and docket a case or cases in the name of the state against such person or persons and the said boat or vessel, and the said justice or judge shall proceed to try the same and render judgment as provided for in this article.

23. It shall be the duty of the officer alluded to in section twenty-two [s. 21] of this article, to return to the commissioners of the oyster police force, at the expiration of every two months, a full and particular account of his proceedings.

*Ibid. s. 24.
Returns to
commission-
ers of oyster
police.*

24. In all cases arising under this article, the justice of the peace or judge before whom any person or persons may be brought, shall proceed to docket a case or cases in the name of the state against the person or persons so charged, and the boat or vessel employed or used, and shall proceed immediately to try the same, unless the party or parties so charged shall state upon oath, that further time is necessary to enable him or them to prepare for his or their defence, and to procure attendance of witnesses, in which case the said justice or judge shall appoint 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 or judge, in a sum not less than five hundred dollars, for his or their appearance on said day; said surety or sureties to be resident or residents of the county in which the case is tried, 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 or judge, 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 or judge 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.

*Ibid s. 25.
Proceedings
before justice.*

Recognizance.

Commitment.

*Judgment of
condemnation.*