

OYSTERS.

1870, c. 188 entitled an act to prevent the catching of oysters for sale in the waters of Saint Leonard's creek, Island creek and Battle creek, in Calvert county, enacts the following:

1870, c. 188, s. 1.
Where unlawful to catch for sale.

86. It shall be unlawful for any person or persons to catch oysters for sale in the waters of Saint Leonard's creek, Island creek and Battle creek, in Calvert county, except persons who have imbedded or planted, or who may hereafter imbed or plant oysters in said waters.

Ibid. s. 2.
Justice to issue warrant for arrest of offender.

87. On information given under oath of any violation of this act, to any justice of the peace of Calvert county, he shall forthwith issue his warrant directed to the sheriff, or any constable or military officer, requiring either of them to whom it may be directed, to summon the *posse comitatus*, if necessary, and proceed forthwith to arrest the party or parties alleged to have been engaged in violating this law, and to seize and take possession of any canoe, boat or vessel, together with all their tackle and apparel, and any article on said boat at the time, belonging to said party or parties, and used by them in violating the law.

Seizure of canoe, &c.

Ibid. s. 3.
Justice to try case.

88. The sheriff, constable or military officer who has made the arrest, shall forthwith bring the offender or offenders before some justice of the peace of the county for a hearing, and said justice of the peace shall either give the case an immediate hearing, or at the instance of the party shall appoint some early day, within the next five days thereafter, to hear the case, the party charged giving such good and sufficient bail as said justice shall require for his attendance; and on conviction of the offender or offenders the said justice shall decree a forfeiture of the canoe, boat or vessel, together with all the tackle and apparel, and order the same to be sold by the officer making the arrest, who shall sell the same, on five days notice, to the highest bidder, subject to an appeal to the circuit court for Calvert county, and after the payment of all the expense attending the arrest and prosecution of the suit, he shall re-

On conviction canoe, &c., forfeited.

Sale.