

Clerk.

Salary

Id s 36
Proviso as to
existing suits.Id s 39
Worcester
county
exceptedId s 40
Proviso

treasurer. upon warrant of the comptroller, and the certificate of commanding officers, that their duties have been performed as required by law; and the board of commissioners of the State Fishery Force shall have power to appoint some suitable person to perform the duty of clerk to said commissioners, and allow such compensation to said clerk as in their judgment may be proper; *Provided*, the amount so paid does not exceed five hundred dollars per annum.

37. Nothing contained in this act shall affect any suits, actions, presentments or indictments now pending before any tribunal in this State, which have been instituted under the provisions of previous laws hereby repealed.

38. Nothing in this act shall be construed so as to apply to Worcester county.

39. Nothing in this act shall be construed to prohibit vessels from seeking harbors in any waters of this State.

TERRAPINS

1878, c 424, s 1
When diamond-
back terrapin
not to be takenId s 2
Of what size not
to be takenId s 3
Terrapin eggs
not to be
destroyedId s 4
Citizens of
counties only to
takeId s 5
Fine for viola-
tionTo whom to be
paidId s 6
Possession
deemed evi-
dence.Id s 7
Constables to
arrest.

40. It shall be unlawful for any person to take or catch diamond-back terrapins from the waters of this State between the first day of April and the first day of November in each year.

41. It shall be unlawful for any person or persons to take or catch from the waters of this State any diamond-back terrapin of a less size than five inches in length, upon the bottom shell, at any time.

42. It shall be unlawful for any person to interfere with, or in any manner destroy, the diamond-back terrapin eggs.

43. None but *bona fide* citizens of the counties of this State bordering upon the waters of the same shall take or catch diamond-back terrapins from said waters.

44. Any person or persons violating the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction of the same, before a justice of the peace in the county in which the offence shall have been committed, he, she, or they shall be fined a sum not less than five nor more than ten dollars for each diamond-back terrapin so taken or caught, or for destroying any diamond-back terrapin eggs, one-half of said fine to go to the informer, and the balance to be paid over by the said justice of the peace to the county commissioners of said county, to be by them disbursed for the benefit of said county, said fine to be collected as other fines and forfeitures are now collected.

45. The possession of any diamond-back terrapin by any person or persons within the time prescribed by this act, prohibiting the taking and catching of the same, shall be deemed *prima facie* evidence that said person or persons have violated the provisions of this act.

46. The constables of the several counties of this State shall, upon the information of any one, arrest all persons violating the provisions of this act, and carry them before the nearest justice of the peace of the county wherein such offence shall have been committed, to be dealt with in accordance with the provisions of section 44 hereof.