

custody such person so offending and the boatmen or other persons found on board the vessel, boat, float, canoe or craft employed to convey such offender for the purpose of shooting at or killing wild ducks or wild fowl of any description contrary to the provisions of this article; and he shall seize and take into his possession the said vessel, boat, float, canoe, or craft, and the gun or guns, ammunition and decoy ducks in the same, or in the use or possession of the offender or offenders.

To seize boat,
etc.

Id s 7
1860, c 109, s 6
To take offend-
ers before
justice.

What *prima*
facie evidence
of guilt

Id s 8
1860, c 109, s. 7.
County to pay
cost where
discharged.

Fine on convic-
tion

7. The said officers shall carry the person or persons so arrested before a justice of the peace of the county wherein the offence may be committed, representing to the justice the breach of the law committed, and the said justice shall inquire fully into the alleged offence, of which, finding vessels, boats, floats, canoes, or crafts employed as aforesaid or in the possession or use of the persons charged, shall be considered as *prima facie* evidence of guilt.

8. If after a full investigation the said justice shall think the charge groundless, he shall dismiss the same at the cost of the county, but if he shall be of the opinion that any wild ducks or other water-fowl have been shot at or killed contrary to section first or second of this article, he shall render a judgment of not less than ten nor more than one hundred dollars against each person engaged directly or indirectly therein for each offence, and he may commit him or them to the county jail, in the event of their not paying the fine thus imposed, if the officer making the arrest and seizure desire it, and if committed, the officer who desired the commitment shall pay the jail fees at the rate of twenty-five cents per day, and in case of a failure to pay the said fees, for the space of three consecutive days, the party whose jail fees shall thus remain unpaid shall be discharged from confinement.

Id s 9
1860, c 109, s. 8
Justice to con-
demn boat

Sale.

Id s 10
1860, c 109, s. 9
Appeal

Bond

9. The justice shall also adjudge and condemn as forfeited to said officer, and to the person or persons who may have aided him in making the arrest and seizure, the vessel, boat, float, canoe or craft, together with the tackle, furniture and apparel on board of the same at the time of the seizure, and all or any other property in the possession of the said officer, found, seized and taken as aforesaid; and the said officer, with the person or persons who aided him in making the arrest and seizure, shall sell the same to the highest bidder for cash after ten days' notice.

10. If any person so convicted shall think himself aggrieved by such conviction, he shall be at liberty to appeal from the judgment of the justice of the peace, within ten days from the rendition thereof, to the Circuit Court for the county wherein the offence is alleged to have been committed; *Provided*, he give bond to the State with two sufficient securities to be approved by the said justice, in a penal sum of double the amount in value of the boat or craft and property so seized and the fines imposed, to be estimated by the said justice, conditioned to prosecute his appeal to the Circuit Court; and it shall be the duty of the justice taking the appeal