

1884, ch 76, sec. 4.

**48.** All offences committed against the provisions of sections 45, 46 and 47, by persons not citizens and residents as aforesaid of either State, may be punished by any of the justices of the peace or courts of either State having criminal jurisdiction; all offences committed by citizens of either State shall be punished by any of the justices of the peace or courts of the State of which they are citizens having criminal jurisdiction; the authorities of either State shall have the right to examine into the right of any person taking oysters in the Potomac river; and all persons taking oysters in the Potomac shall exhibit their authority for so doing whenever required by the police or other legal authority of either State; the legal authorities of either State shall have the right to arrest any offender against said sections in the Potomac river, and to pursue such offender beyond the boundary line of either State upon navigable waters, and arrest him wherever found upon such waters.

Ibid. sec. 5.

**49.** The penalties imposed by sections 45, 46 and 47, shall be recovered before any justice of the peace of either State, in any county of either State, with the right to the State or the defendant to appeal to the circuit court for the county in which such cause has been tried, or to the criminal court of Baltimore, if tried in Baltimore city, or to the hustings court of the city, if tried in a city of Virginia; the parties and vessels charged may be arrested without warrant, and carried before any justice of the peace; the justice shall cause a guard to be put upon the vessel, and the parties charged to be confined in jail or bailed; upon conviction, the offender shall be committed to jail until the fine is paid, and the vessel shall be sold at public auction by the sheriff of the county or city, for cash, after ten days' notice; in case of appeal, the appellant shall remain in custody, and the vessel shall be sold as above provided, unless recognizance be entered into for double the amount of the fine and double the value of the vessel, conditioned for the performance of the final judgment of the court; upon such recognizance being given, the party convicted and the vessel shall be discharged.