

in the Monocacy river or any of its tributaries, within the limits of said county; provided, that it may be lawful to take fish in any way in any of the tributaries, one mile above the mouth of such tributaries.

1872, ch. 320.

146. Any person offending against the provisions of the preceding section shall be liable, upon conviction thereof, by summary process, before any justice of the peace of this State, in and for Frederick county, to a penalty of not less than ten nor more than thirty dollars, one-third to the informer, one-third to the constable who may make the arrest, and the balance to be paid to the treasurer of the board of county school commissioners, for school purposes; provided, that any person so offending, who, on conviction thereof shall refuse or fail to pay the fine imposed, and the costs thereon, shall be imprisoned in the county jail for not less than ten nor more than twenty days.

Ibid.

147. It shall be the duty of any constable to whose attention a violation of section 145 is called, at once to report the same to a justice of the peace, and upon warrant issued, to arrest the offender and bring him before the justice for trial; and any constable who fails so to report a case of offence, with the name of the informer, when notified, shall himself be liable to a penalty of ten dollars, to be recovered as like penalties are now by law recoverable.

Ibid.

148. Upon the failure to establish the guilt of any person charged with violating the provisions of section 145, all costs shall be paid by the original informer, or the accused, or both of them, at the discretion of the justice.

Ibid.

149. Any person aggrieved by any judgment rendered by a justice of the peace, under the provisions of sections 145 and 146, shall have the right to appeal to the circuit court for Frederick county, upon the conditions and subject to the regulations now provided by the general law regulating appeals from justices of the peace; but execution of the judgment of the justice of the