

comitatus, if necessary, and proceed forthwith to arrest the party alleged to have been engaged in such violation, and to seize and take possession of any canoe, boat or vessel, together with all their tackle and apparel and all things on board of the same, belonging to said party, or in his possession at the time of the offence, and used by him in such violation.

1886, ch. 78.

82. The sheriff, constable, military officer, commander or deputy commanders of the State fishery force of this State who shall make the arrest, shall forthwith bring the offender before some justice of the peace for Wicomico county for a hearing, and the said justice of the peace shall either give the case an immediate hearing, or, at the instance of the party charged with such violation, shall appoint some early day within the next five days thereafter, to hear the case—the party charged with the violation giving such good and sufficient bail as said justice shall require for his attendance—and on conviction of the offender, the said justice shall fine such person in a sum of not less than twenty-five dollars nor more than two hundred dollars for each and every offense, or shall decree a forfeiture of the canoe, boat or vessel, together with all their tackle, apparel and property found on board at the time of the seizure, and shall have power and authority to commit to the jail of said county such offender so convicted, until such fine so imposed shall be fully paid and satisfied.

Ibid.

83. The justice of the peace before whom any such offender shall be tried and convicted, is authorized to order any constable, sheriff, or military officer, to sell the property so seized and condemned, on five days' notice, to the highest bidder for cash, subject to an appeal in all cases to the circuit court for Wicomico county; and after payment of expenses attending the arrest and prosecution in any such case, the officer making the arrest shall retain one-fourth of the balance himself, distribute one-fourth among the parties assisting in making the arrest and seizure, and pay over the remaining half to the board of county school commissioners, to be placed to the credit of the school fund of said county; provided, that if such seizure is made by the officers or crews of the State fishery force, then such portion as would