

preceding section, and seize and take into custody any gun, net, fire-light or boat used by such person in violating any of the provisions of this sub-title of this article, on conviction of the person so arrested, the gun, net, fire-light or boat used by such person in violating any of the provisions of this sub-title of this article, shall be condemned, and such condemnation shall be a part of the judgment against the person so convicted; but on payment by the said person so convicted, of the fine imposed, and all costs and jail expenses, if the person so convicted be confined in the county jail, the gun, net, fire-light or boat shall be released; provided, that the fine, costs and jail expenses be paid before the sale of the gun, net, fire-light or boat, under the provisions of this sub-title of this article.

1874, ch. 164.

**280.** It shall be the duty of the sheriff, or any constable of said county, with or without warrant, to seize and take into custody, any gun, net, fire-light or boat, which has been used by any person in violating any of the provisions of this sub-title of this article, and give information of said seizure to some justice of the peace of Worcester county; and it shall be the duty of said justice of the peace to docket a case, in the name of the State, against the said gun, net, fire-light or boat, and to proceed without delay with the trial of the same; and if there is sufficient proof that said gun, net, fire-light or boat has been used or employed in violating any of the provisions of this sub-title of this article, the said justice of the peace shall either render a judgment of condemnation against the said gun, net, fire-light or boat, or fine the said gun, net, fire-light or boat, not less than ten dollars, one-half of said fine to be paid to the informer; provided, that if said gun, net, fire-light or boat shall have been sold to a *bona fide* purchaser thereof since the same was used in violating any of the provisions of this sub-title of this article, the said gun, net, fire-light or boat shall neither be condemned nor fined.

*Ibid.*

**281.** The provisions of the preceding section shall not apply to any case where the persons using the said gun, net, fire-light or boat have been arrested.