

with a basket, or any other device so as to close the opening therein, whereby the young shad may be destroyed, he shall give notice thereof to any justice of the peace of the county, who, upon such information of said constable, or of any other person on oath, shall issue his warrant to apprehend such offender, and take him before some justice of the peace of the county; and he shall, by the justice before whom he may be taken, be compelled to enter into recognizance for his appearance at the next term of the circuit court for Cecil county.

P. L. L., (1860,) art. 8, sec 99.

158. The person so arrested shall be proceeded against by indictment in the said circuit court, and upon conviction or confession of the offence charged, shall be fined by the court not exceeding sixty dollars for any such offence, one-half to the said constable, or such other person as shall prosecute for the same, the other half to the use of the county.

Ibid. sec. 100.

159. The said constable, for the discharge of said duties, and upon his making oath thereto, shall be allowed by the county commissioners the sum of sixteen dollars per annum.

1870, ch. 165.

160. It shall not be lawful for any person to whip or beat the waters of Mill creek, or the waters of Principio creek, in Cecil county, with poles, sticks or any other thing, for the purpose of driving fish into seines, nets, fish baskets, or any other contrivance for catching fish.

Ibid.

161. Any person violating the provisions of the preceding section, who shall be convicted before a justice of the peace of Cecil county of the same, shall forfeit the boats, nets, seines and other fixtures used by him at the time of such violation; and the proceeds of the sale of such forfeited property or fixtures, after deducting the costs of prosecution, shall be paid, one-half to the informer, and the other half to the school commissioners of Cecil county, for the benefit of the public schools of said county.