

of any circuit court or justice of the peace who shall have jurisdiction therein, any person or persons who may be engaged in violating any of the provisions of this act, and of seizing any canoe, boat or vessel engaged therein; and all such owners and masters are hereby vested with power to summon the posse comitatus to aid in making such arrest and seizure.

Duty of officer to pursue.

SEC. 12. *Be it enacted*, That if any canoe or canoes, boat or boats, vessel or vessels, shall be used by any person or persons within the limits of Wicomico county, in the same manner or way in which they are used to take oysters with scoop, scrape, drag, dredge, or similar instrument, it shall be the duty of any officer, created by this act, to pursue such canoe or canoes, boat or boats, vessel or vessels, and if the said canoe or canoes, boat or boats, vessel or vessels, shall be found to have on board any scrapes, cranks, dredges, or any similar instruments, or any other equipments necessary to take oysters with scoop, scrape, dredge, or similar instrument, it shall be the duty of the said officer to seize the said canoe or canoes, boat or boats, vessel or vessels, and to arrest the person or persons found on board and bring them before some justice of the peace in said county, to be dealt with according to the provisions of this act; and the necessary appurtenances being on board of said canoe or canoes, boat or boats, vessel or vessels, to take oysters with scoop, drag, dredge, or similar instrument, shall be sufficient evidence that the said canoe or canoes, boat or boats, vessel or vessels, have been used in violating the provisions of this act.

Evidence of violating.

Inconsistent acts repealed.

Effective.

SEC. 13. *And be it enacted*, That chapter two hundred and forty-one, passed at the January session of the General Assembly, in the year eighteen hundred and seventy-two, entitled "An act to protect oysters within the waters of Wicomico county," and all other acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and that this act shall take effect from the date of its passage.

Approved April 10, 1880.