

on or in the use of said boat so to be used in the taking, catching or capturing of fish as aforesaid, any person who is not also a *bona fide* resident of Queen Anne's county, and who has not been such for twelve months preceding the date of his employment.

Misdemeanor.

173 A. That any owner or possessor of any boat who shall be found using the same in the waters of the Eastern bay or its tributaries, within the jurisdictional limits of Queen Anne's county, without the authority of a license, first had and obtained as hereinbefore provided, in the taking, catching or capturing of fish with any seine, fyke, pound-net, gill-net, or any other contrivance now used or which may hereafter be invented for said purposes (other than with a hook and line,) or who shall be found employed on or in the use of any boat as aforesaid, used in taking, catching or capturing fish by any person not being a *bona fide* resident of Queen Anne's county as aforesaid, shall be deemed guilty of a misdemeanor, and on conviction therefor, before and by a justice of the peace of Queen Anne's county aforesaid, in the name of the State as plaintiff, shall be punished with a fine not exceeding the sum of fifty dollars, and in case of failure or refusal to pay the same shall as part of said judgment forfeit the boat and tackle and seine, fyke-net or other contrivance so used as aforesaid, and in addition thereto shall be committed to the county jail for a period not exceeding twenty days; in case the justice of the peace shall find it necessary owing to the failure or refusal of the party so convicted as aforesaid, to pay said fine and the costs of trial in addition thereto to enforce the judgment of forfeiture against said boat, tackle, seine, gill-net, pound-net or other contrivance used in violating the provisions of this law, he shall order the constable making the seizure to hold the same for sale, and thereupon the constable shall forthwith proceed after ten days' public notice by handbills, set up at two or more public places in the county near to the place where said boat, tackle, seine, net or other contrivance shall be, of the time, place, manner and terms of sale, to sell the said boat and tackle, seine, pound-net, gill-net or other contrivances for cash to the highest bidder, and after paying out of the proceeds of said sale the costs attending the conviction, capture and sale as aforesaid, shall pay over the residue of said proceeds of sale, one-half thereof to the informer in the case, and the other half to the county school commissioners for school purposes; provided, however, a right of appeal shall be granted to the next term of the circuit court of the county to any one feeling himself aggrieved by the judgment of the said justice of the peace; in case of an appeal the judgment of the justice shall be stayed by the giving of a bond in double the amount of the fine, to be taken in the name of the State and with security to be approved by the justice of the peace.

Proceedings.

174 A. It shall be unlawful for any person to use a haul seine