

the season that may be under said state law at any time the closed season shall be prima facie evidence that the same have been caught by the person in possession of the same contrary to the provisions of this law; and any person having license for any vessel under this article and sub-title shall also provide a number on canvas, to be prescribed and furnished by said county commissioners of same size as that required by the state oyster law, in red figures corresponding with the number of said license, and shall fix the same on the same sail and the opposite side thereof as required by the said state law, and the provisions of this sub-title shall not apply to the waters of Pocomoke river and sound, in which said waters it shall be unlawful to take oysters with scoop, scrape, drag or dredge, nor shall any vessel be employed otherwise than as allowed by the said regulations and designations of said county commissioners, and said license shall not be transferable.

When not to apply.

Penalty for violation.

Give bail.

Penalty.

SEC. 97. Any person or persons violating any of the provisions of this act shall be fined a sum not less than two hundred dollars nor more than five hundred dollars for each and every offence, and shall stand committed till fine and costs are paid, and on information under oath of any violation of the provisions of this act to any justice of the peace of said county, he shall issue his warrant to the sheriff of said county, requiring him to summon a posse comitatus, if necessary, and proceed at once to arrest the party or parties alleged to have been engaged in the violation of this act, and forthwith bring the offender or offenders before some justice of the peace in and for Somerset county, for a hearing, and the said justice shall either give the case an immediate hearing, or he shall, at the instance of the party or parties charged, appoint some day within the next seven days thereafter to hear the case, first requiring the defendant or defendants to give good and sufficient bail for the appearance of the defendant or defendants, and the production of the vessel, if any shall be taken, at the trial, and if the defendant or defendants shall be found guilty of violating any of the provisions of this sub-title, or of the regulations or designations made by the said commissioners, within the waters of Somerset county, the said justice shall fine such person or persons not less than two hundred dollars nor more than five hundred