

scribed in section 94 of this article. And provided further, that all persons using haul seines and similar contrivances, except pound nets and stake nets, which are hereby prohibited, shall pay the same license and be subject to the provisions of all the sections under the sub-title "Chesapeake Bay," of this article, except gill nets, which are exempted.

99. The sheriff, or any of the constables, of any of the counties of this State, where any violations of any of the sections of the 39th Article of the Code of Public General Laws, title "Fish and Fisheries," sub-title "Chesapeake Bay," from sections 90 to 98, inclusive, shall come to his knowledge or upon the warrant of some justice of the peace of any of the counties of this State, it shall be the duty of the said constable to apprehend the said person or persons charged in the violation of either of the sections of 90 to 98, inclusive, of the said article, and take the said person or persons to the nearest or most accessible justice of the peace, to be dealt with according to the provisions of sections 90 to 98, inclusive, of this article; and it shall be the further duty of the sheriff, or any of the constables of the county, in case of a forfeiture of any net or nets, boat or boats, or tackle, by any justice of the peace of any of the counties of this State, under any of the provisions of sections 90 to 98, inclusive, of this article, to hold and take possession of said nets, boats or tackle thus forfeited as aforesaid, and to offer the said net, nets, boat, boats or tackle, for sale, for cash to the highest bidder, after having advertised the same for sale in one or more conspicuous places in the neighborhood of said sale, setting forth the time, place and terms of said sale, and from the proceeds of which, shall apply in the first place, from the proceeds of same, to the costs and charges incident to judgment, costs and forfeitures, and costs of seizure, sale and other costs incident to said sale, and the balance to pay over to the clerk of the circuit court of the county in which the sale is made, and by the said clerk to be paid over to the Comptroller of the State, to the credit of the oyster fund.

Sheriff and constables to make arrests.

100. The provisions of sections 90 to 99, inclusive, of article 39 of the Code of Public General Laws, title "Fish and Fisheries," sub-title "Chesapeake Bay," shall not apply in any way to the use of the rod, hook and line in the taking or catching of fish at any time during the year, or gill nets for family purposes.

Not to apply to hook and line.