

CHAP. 527 charged in said oath with such violations, to be brought before such justice for trial; and said constable or sheriff shall seize the boat, tackle, nets and other equipments owned by or in the possession of such person so charged with such violation, where such violation occurred, or at the time of such arrest, and safely keep such property so taken during the time pending the trial for such offence so charged; and if upon such trial the justice of the peace shall enter judgment for the State, such person against whom such judgment shall be rendered shall be fined not less than twenty nor more than fifty dollars for each and every offense, in the discretion of the said justice of the peace; one-half of which fine shall be paid to the informer, the other half to the school fund of the county where such judgment is rendered; and if such fine is not paid within five days from the date of such judgment, the said justice of the peace shall, on the sixth day thereafter, enter judgment of condemnation against the boat, tackle, nets or other equipments of such offender which had been seized by the officer aforesaid, which said boats, tackle, nets or other equipments shall, after ten days' notice by the said officer, be sold to the highest bidder for cash; and from the proceeds of such sale he shall, deduct the fees allowed constables upon executions, the costs incident to such trial and judgment, together with such expense as such officer may have incurred in the taking and keeping of such property, and shall then divide the residue between the informer and the schools of the county, equally; said officer not to be liable for any damages or loss of said property while in his custody, which may occur without a fault on his part.

Fine imposed.

Boats, tackle,
nets, etc.,
sold at
public
auction.

Law to be
enforced

Section 123. It shall be the duty of any commanding officer of the State fishery force, and of any game warden in cases coming under their observation or on information derived from other persons, to enforce this law, with all means at his command, by the arrest of any person violating its provisions, and to carry such person by him so arrested before the nearest justice of the peace in Kent county for trial.

Constables
must enforce
law.

Section 123 A. The constables of Kent county are required to enforce this law by the arrest of all persons they may find violating any of its provisions, or who may be charged on the oath of any person with violating the same.