

dollars for each and every offense, and shall stand committed to the county jail until such fine and costs are paid and fully satisfied, or may at the discretion of the court be sentenced to the house of correction for a period of not less than one year or more than two years.

SEC. 3. *And be it enacted*, If any boat or vessel shall be seen sailing in any of the waters of Tangier Sound hereby Evidence. exempted from dredging as hereinbefore mentioned, in the manner in which they sail to take or catch oysters with scoop, scrape, drag or dredge, or similar instrument, the boat or vessel shall be pursued by any officer authorized by law to make arrests, and if said boat or vessel apprehended by said officer, shall be found to have on board any wet oysters, or the dredge or dredge lines or deck wet, indicating the taking of oysters at said time, and equipped for taking oysters with scoop, scrape, drag or dredge or similar instrument, such fact shall be prima facie evidence that the said boat or vessel has been used in violation of this act, and it shall be the duty of the officer to arrest the person in command, together with the crew, and to seize the said boat or vessel, together with all her equipments, and bring the same before a judge or a justice of the peace for Somerset county, to be dealt with according to the provisions of this act; provided, that nothing in this act shall be construed to prohibit vessels from seeking harbor in any of the waters of the State.

SEC. 4. *And be it enacted*, That on information under oath of any violations of the provisions of this act, to any justice of the peace for Somerset county, the said justice shall forthwith issue his warrant to the sheriff or any constable of said county, requiring the officer to whom the said writ shall be directed to summons a posse comitatus, if necessary, and proceed at once to arrest the party or parties alleged to have been engaged in violating any of the provisions of this act, and forthwith bring him or them before any justice of the peace for Somerset county, who shall require full and sufficient bond for their appearance before the Circuit Court; but if the accused shall not claim a jury trial, it shall be the duty of the justice to immediately give the case a hearing, and upon conviction of the accused, impose the punishment and fines prescribed in section 2 of this act. Duty of justice of the peace.

SEC. 5. *And be it enacted*, That it shall be the duty of the sheriff, constables and officers of the State Fishery Force to arrest any person or persons found dredging or charged under Duty of sheriffs, etc.