

as the case may be, with security to be approved by the Justice of the Peace rendering the judgment, or by the Clerk of the court to which the appeal may be taken, with conditions to prosecute such appeal with effect, and to pay the value of the property condemned, and the amount of the fine imposed and interest and all costs attending such proceedings, in case such judgment shall be confirmed.

22. That when any offence is committed under any of the provisions of this Article (except under the nineteenth section) any Justice of the Peace or the Circuit Court, as the case may be, of the county to which the person offending or the vessel engaged in violating such provisions, may be taken after being arrested or seized, shall have jurisdiction of such offence, when offence under the nineteenth section of this Article shall be committed, if the same be committed within the limits of any county, any Justice of the Peace, or the Circuit Court of such county, shall have jurisdiction of such offence: or if the same be committed within the waters of this State, but not within the limits of any county, then any Justice of the Peace or Circuit Court (as the case may be) of any county lying opposite and most convenient of access, from the place where the offence is committed, shall have jurisdiction thereof, and all proceedings, whether before a Justice of the Peace or before the Circuit Court, shall be in the name of the State; and if the party accused be acquitted the Comptroller of the State shall pay the costs out of the fund created by this Article. Jurisdiction.

22. That any citizen of this State, owning lands lying in any of the navigable waters of this State, the lines of such lands, including any land covered by such waters, may deposit, plant, bed, sow oysters or other shell fish, in the waters so included within the lines of his land, and any citizen of any county owning land lying or bounding upon the waters of this State, may locate and appropriate in any of the waters thereof contiguous thereto, five acres for the purpose of preserving, depositing, bedding, or sowing oysters, or other shell fish; *provided*, that the said location or appropriation shall be described by stakes, bushes, or other visible and proper marks or metes and bounds, which Owners may  
bed oysters.

Proviso.