

in value of the boat or vessel, and property seized, and the fines imposed, to be estimated by the said justice, conditioned to prosecute, with effect, his or their appeal to the county court, and it shall be the duty of the justice taking the appeal bond, immediately to deliver the same to the officer who made the arrest, and in case of forfeiture of the bond, the said officer shall have full power and authority to prosecute the same for his use, and the use of those engaged with him in making the arrest and seizure. CHAP. 305.

SEC. 5. *And be it enacted,* That if, within ten days from the rendition of the judgment or judgments, no appeal bond is accepted by the justice of the peace, to arrest further proceedings on said judgment or judgments, it shall be the duty of the officer making the arrest and seizure, after having given ten days notice, by public advertisement, to sell to the best advantage, for cash, for his benefit, and the benefit of those who aided him in making the arrest and seizure, the boat or vessel in his possession, together with all the papers, furniture, tackle, and apparel, and all other property seized and taken by virtue of this law. Limited time in which an appeal may be taken

SEC. 6. *And be it enacted,* That if resistance be apprehended by the Sheriff, or any other officer engaged in the execution of this law, he shall summon to his aid the posse comitatus of the county, armed and equipped as the occasion may require, and shall press in his service any steamboat, not actually engaged in conveying the public mail, or other vessel whatever, at the risk and expense of the State, and proceed therewith, without delay, to perform his duty, and if resistance be made to the officer, or to others engaged with him in the execution of this law, such resistance shall be deemed a misdemeanor against the laws of this State, presentable by the grand jury of the county, and punishable in the county court, by fine and imprisonment, as other misdemeanors are punished, and the person or persons charged with resisting any officer possessing the power to execute this law, shall be arrested by such officers, and carried before a justice of the peace of his county, and he or they shall be treated by said justice as all other persons charged with being offenders against the criminal law of this State. Sheriff, etc., may summon posse comitatus

SEC. 7. *And be it enacted,* That after the payment of the costs accruing from the prosecution of offenders under this law, the balance arising from the fine and sale of the boat, and other property hereinbefore mentioned, shall be divided or apportioned in the follow- Fines, etc.—how distributed