

this subtitle, he shall issue his warrant for the arrest of the offender and the seizure of the seines, nets, boats or other fishing outfit, to be directed to any officer of the Commission of Tidewater Fisheries, including deputy game wardens, or to the sheriff [or any constable] of the county or other officer authorized to make arrests. It shall be the duty of any officer authorized to make arrest, upon receipt of said warrant, to arrest any person violating any of said sections, seize any such seines, nets, boat or other fishing outfit found being used in such violation [and bring such offender before the justice of the peace most accessible or convenient, qualified to try same, to be dealt with according to law].

§ 240. Procedure upon seizure.

If upon a hearing in any case of arrest and seizure, the [justice of the peace] court is satisfied that the owner or person having charge of the property so seized is guilty of violating any of the provisions of this subtitle, which imposes the forfeiture of such property for such violations, then [said justice] the court shall adjudge same to be condemned and sold by the sheriff as provided for in § 241. In case the owner is not known, [said justice] the court may proceed ex parte to hear and determine any question of forfeiture. [In any case in which an appeal is taken, provided for in § 244, the property shall be released upon the filing of the bond as provided for in § 244, and upon final determination of the case shall be released or condemned, depending upon whether the party is acquitted or found guilty.]

§ 242. Disposition of fines and proceeds of property sold.

All fines imposed under this subtitle[, and the proceeds of sale of any property forfeited as aforesaid, after paying the expense of seizure, condemnation and sale,] shall be [paid to the justice or clerk of the court to] *collected pursuant to the provisions of Article 26, § 155; however if the fine is imposed by the circuit court of any county or the Criminal Court of Baltimore, as the case may be, the fine when collected shall be remitted to the Comptroller for credit to the Fisheries Research and Development Fund.*

§ 243. Jurisdiction of [justices or] court.

[All justices of the peace of this State in and for the city or county wherein the offense shall be committed shall have jurisdiction to hear and determine all prosecutions for the purpose of enforcing fines and penalties collectible under the provisions of this subtitle.] If any offense under this subtitle is committed in a river dividing two counties, then the [justice or] court *in [of]* either county shall have jurisdiction, and if it is committed in the waters of Chesapeake Bay, then the [justice or] court of any county bordering on the Bay shall have jurisdiction. Provided that the nearest or most accessible [justice of the peace or] court shall hear and determine said offense, as set forth in §§ 237 and 238.

§ 251. Vessels sailing through nets.

If any vessel, float or boat shall be wittingly, wantonly and maliciously, or from gross negligence, sailed through any net lawfully placed and marked, the skipper, captain or other person commanding such vessel, float or boat shall be guilty of a misdemeanor