

The bill entitled an Act for the better protection of birds in Frederick county, together with the proposed Senate amendments thereto, which had been non-concurred in by the House, beg leave to report that they concur in recommending the following:

That the Senate recede from the proposed amendments of that Body, and that the following bill be adopted as a substitute therefor.

A bill entitled an Act for the better protection of birds and rabbits in Frederick and Anne Arundel counties.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That it shall not be lawful for any person in Frederick and Anne Arundel counties, to shoot, kill, or in any way trap or destroy any blue-bird, swallow, martin, robin, cat-bird, wood-pecker, sparrow, wren, whip-poor-will, dove, or any insectivorous birds at any season of the year under the penalty of two dollars for each bird so killed, taken or destroyed.

SEC. 2. *And be it enacted,* That it shall not be lawful for any person to kill or destroy any pheasants or partridges between the first day of January and the fifteenth day of October, or any rabbits between the first day of February and the first day of October, under the penalty of five dollars for each and every pheasant or partridge so killed, taken, or destroyed.

SEC. 3. *And be it enacted,* That no person shall at any time during the year, willfully destroy the eggs or nests of any such birds as are named in this Act, within the said counties, under the penalty of two dollars for each and every offence.

SEC. 4. *And be it enacted,* That the possession by any person within the counties aforesaid, of any of the birds mentioned in this Act, as shot, killed, or otherwise destroyed, shall be *prima facie* evidence to commit under this act.

SEC. 5. *And be it enacted,* That any person offending against any of the provisions of this Act, and being convicted thereof before any Justice of the Peace, in the counties of Frederick or Anne Arundel, upon the oath or affirmation of one or more witnesses, shall forfeit the fine or fines mentioned in this Act, one half to the use of the School Fund of said counties, and the other half to the use of the informer, and if the offender, after being convicted of the crime, shall refuse to pay the said fines so imposed by this Act, he or they shall be committed to the jail of the county in which the crime was committed, for every such offence, for the space of ten days. *Provided, however,* that such convictions shall be made within sixty days after committing the offence.