

CHAPTER 77.

AN ACT to protect, and to prevent the destruction of small birds known as insectivorous birds in St. Mary's and Queen Anne's counties.

Protecting
birds.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That it shall be unlawful hereafter for any person, at any time to shoot, trap or otherwise kill or injure or pursue with such intent, any of the following named birds, within the limits of St. Mary's and Queen Anne's counties, viz: mocking-bird, blue-bird, robin, oriole, thrush, swallow, martin, lark, red-bird, cat-bird, wren, sparrow, whip-poor-will, pewit, goldfinch, sapsucker, hanging-bird, jay-bird or wood-pecker; provided, that nothing in this act shall be so construed as to prevent the killing of crows, hawks or black-birds, or birds of prey; and provided, that robins may be shot from and after the first day of October until the first day of March in each year.

Not to destroy
eggs or nests.

SEC. 2. *And be it enacted,* That it shall be unlawful for any person knowingly and unnecessarily to destroy or disturb the eggs or nests of any of the birds protected by this act.

Possession
prima facie
evidence.

SEC. 3. *And be it enacted,* That the possession by any person within the counties of any of the birds mentioned in this act as shot, killed, or in any wise destroyed, or of any eggs of such birds, shall be *prima facie* evidence to commit under this act.

Penalty.

SEC. 4. *And be it enacted,* That any person offending against the provisions of this act, upon conviction thereof before any justice of the peace of said counties, shall forfeit and pay to the said justice of the peace, the sum of two dollars for every bird so killed or destroyed, and for every nest so disturbed, robbed or broken up, together with costs of prosecution, and one half of said forfeit or fine shall be paid to the informer and the other half to the Treasurer of the county school commissioners for the use of the public schools of the counties, and if any offender, after conviction under this act, shall refuse to pay

Fine, to whom
paid.