

raised by other means than by shooting during the open season, or same may be sold alive for propagating and restocking.

Provided, however, it shall be lawful to hunt Game during open season in Garrett, Allegany and Washington Counties when the ground is covered with snow.

Any person convicted before any Justice of the Peace of this State for violating any of the provisions of this Act shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) in the discretion of the Justice of the Peace and costs for each and every offense for hunting during closed season, and in addition to said fine shall be fined \$5.00 for each and every Game Bird or Game Animal so caught or killed, purchased or offered to purchase, sold, offered for sale, barter, or exchange, or found in possession, any officer empowered with the enforcement of the game Laws of this State shall confiscate any game found illegally held and the State Game Warden may dispose of same as he may deem advisable to the best interest of the State, and any Deputy Game Warden, Constable, or other persons who shall procure conviction of any person or persons violating any of the provisions of this Act shall receive one-half of the fine collected, and the remaining one-half of fine shall be paid to the State Game Department or State Comptroller to be credited to the State Game Protection Fund. Provided that any person who fails to pay the fine so imposed shall stand committed to jail until the fine and costs shall have been paid, but such imprisonment shall not exceed ninety days for any one offense.<sup>1</sup>

As a general rule an indictment is sufficient if it describes an offence created by statute in words of the statute. The act of 1894, ch. 404, held not to apply to game killed in another state but in possession in this state. *State v. Jenkins*, 124 Md. 379.

The act of 1898, ch. 206, is a valid exercise of police power. It is not unconstitutional as embracing more than one subject, nor because it is made applicable only in certain portions of state. *Stevens v. State*, 89 Md. 672; *Mt. Vernon Co. v. Frankfort Co.*, 111 Md. 568.

See notes to sec. 28.

As to game preserves, trespassing, etc., see art. 27, sec. 240, *et seq.*

An. Code, sec. 20A. 1916, ch. 595.

**21.** Nothing in Section 20 of this Article shall prevent the propagation, raising or killing of domesticated, English or Ring-necked pheasants where the said pheasants are hatched out and raised on the place where they are killed; provided that said pheasants shall not be killed on grounds other than those owned by the breeders thereof, and nothing in this Section shall permit the following of said pheasants beyond the boundaries thereof. Any person violating the provisions of this Section shall be subject to the same penalty provided for violating Section 20.

An. Code, sec. 21. 1904, sec. 14. 1888, sec. 14. 1858, ch. 263, sec. 4. 1898, ch. 206. 1900, ch. 303. 1902, ch. 70. 1914, ch. 472.

**22.** Any person convicted, before any Justice of the Peace of this State, for violating Section 20 shall be fined not less than twenty-five dollars nor more than one hundred dollars and costs for each and every offense. And

<sup>1</sup> Sec. 2 of ch. 301 of acts of 1922 repeals all laws inconsistent with said act.