

Indictment under this section, held sufficient. *Stevens v. State*, 89 Md. 672; *Mt. Vernon Co. v. Frankfort Co.*, 111 Md. 568; *Windsor v. State*, 103 Md. 614; *Rice v. State*, 89 Md. 768; *Tyler v. State*, 93 Md. 311.

Prior to act of 1898, ch. 206, the law had no application to game killed in another state. Construction of act of 1894, ch. 404. *Dickhaut v. State*, 85 Md. 460; *Stevens v. State*, 89 Md. 671.

Cf. art. 39, sec. 96, and art. 72, sec. 9, and notes.

An. Code, sec. 28. 1904, sec. 21. 1898, ch. 206, sec. 154. 1914, ch. 720. 1916, ch. 385, sec. 28A.

29. All wild birds other than game birds, both resident and migratory, in this State, shall be and are hereby declared to be, the property of the State.

An. Code, sec. 28A. 1916, ch. 385, sec. 28B. 1918, ch. 439, sec. 28B.

30. For the purposes of Sections 29-40 the following shall be considered game birds: Anatidae, or waterfowl, including brant, wild ducks, geese and swans; Rallidae, or rails, including coots (mudhens), gallinules, sora and other rails; Limicolae, or shore birds, including woodcock, snipe, yellowlegs and plover; Gallinae, including quail, partridges, ruffed grouse, wild turkeys and pheasants; doves, reedbirds (rice birds or bobolinks) and blackbirds. All other species of wild resident or migratory birds shall be considered non-game birds.¹

An. Code, sec. 28B. 1916, ch. 385, sec. 28C. 1920, ch. 527.

31. No person within the State shall kill, catch or have in his or their possession, living or dead, any resident or migratory wild bird other than a game bird, or purchase, offer or expose for sale, any such wild non-game bird, after it has been killed or caught, except, as permitted by Section 29-40. Provided that nothing in this sub-title shall make it unlawful to kill turkey buzzards at any time.

An. Code, sec. 28C. 1916, ch. 385, sec. 28D.

32. No part of the plumage, skin or body of any bird protected by Sections 29-40 shall be sold or had in possession for sale, and this irrespective of whether said bird was captured or killed within or without the State.

An. Code, sec. 28D. 1916, ch. 385, sec. 28E.

33. No person, within the State shall take or destroy, or attempt to take or destroy, the nest or the eggs of any wild bird, or have such nest or eggs in his or their possession, except as permitted in Sections 29-40.

An. Code, sec. 28E. 1916, ch. 385, sec. 28F.

34. It shall be unlawful for any person or persons or any corporation acting as a common carrier, its officers, agents or servants, to ship, carry, take or transport, either within or beyond the confines of the State, any resident or migratory wild non-game bird, except as permitted by Sections 29-40.

¹ The reference in title of ch. 439 of act of 1918 to ch. 384 of act of 1916 is evidently an error, the intention being as shown by enacting clause to refer to ch. 385.