

fifteenth day of October, or any rabbit between the first day of February and the first day of October, under the penalty of five dollars for each and every pheasant, rabbit or partridge so killed, taken or destroyed.

1872, ch. 303.

41. No person shall at any time during the year wilfully destroy the eggs or nests of any of the birds named in the two preceding sections within said county, under the penalty of two dollars for each and every offence.

Ibid.

42. The possession by any person within the county of any of the birds mentioned in sections 39 and 40, or of any rabbit, shot, killed or otherwise destroyed, shall be *prima facie* evidence to convict under said sections.

Ibid.

43. Any person offending against any of the provisions of sections 39, 40 or 41, and being convicted thereof before any justice of the peace in Frederick county, shall forfeit the fine therein named, one-half to the use of the school fund of the county and the other half to the use of the informer; and if the offender, after being convicted of the crime, shall fail or refuse to pay the said fine, he shall be committed to the jail of the county, for every such offence, for the space of ten days; provided, however, that such convictions shall be made within sixty days after the offence.

Ibid.

44. It shall be the duty of the constables of the several election districts of the county to arrest all persons whom they may see violating any of said sections, and take them before the nearest justice of the peace, to be dealt with according to law.

1884, ch. 209.

45. It shall not be lawful for any person to sell, barter or trade, or attempt to sell, barter or trade, any pheasants, partridges, squirrels or woodcock, that may have been taken, trapped, snared or shot in Frederick county.