

1876, ch. 128.

32. The possession by any person in Kent county, of any bird mentioned in the preceding section, shall be *prima facie* evidence of a violation of such section.

Ibid.

33. Justices of the peace shall have jurisdiction over and may take cognizance of all cases of persons violating the provisions of section 31, within the county; and any person convicted before any justice of the peace of the county, of violating the provisions of said section, shall be fined by said justice of the peace in a sum of not less than five dollars nor more than twenty-five dollars for each and every offence, with costs; and on the failure or refusal of such person to pay said fine, or give security therefor, the said justice of the peace shall commit him to the county jail for a period of not less than five nor more than twenty-five days; provided, the party so convicted shall have the right of appeal to the circuit court for the county, within sixty days; and on such appeal being prayed, the justice of the peace shall cause the said party to give bail for his appearance at the next term of said circuit court, in a sum double the amount of the fine imposed, where the said party shall be tried *de novo*, and if convicted, shall suffer the same penalties as those imposed by said justice of the peace, with costs; and provided further, that whenever said bail is given, the party shall be set at liberty; and all fines collected under said section shall be applied to the repair of the roads of the county.

Ibid.

34. Section 31 shall not be construed to interfere with the right of any citizen in the county to take the young of the birds mentioned in said section; provided, he make oath in due form of law before some justice of the peace of the county, that such young birds taken are intended for his true and *bona fide* use, and not for the purpose of sale or barter; such oath may be made before or at the time of trial, but shall only be *prima facie* evidence of innocence.

1886, ch. 135.

35. It shall not be lawful for any person in Kent county to shoot, kill or catch, or in any way entrap, any partridge or quail