

circuit court for Worcester county, and shall be entitled to a trial by jury, whose decision shall be final; but no person shall prevent said commissioners from opening, widening or straightening any street after payment, or tender of payment, of damages assessed as above directed.

BIRDS AND GAME.

1868, ch. 430. 1888, ch. 88.

49. No person shall trap or shoot, or in any manner catch or kill any partridges in Worcester county, between the first day of February and the first day of November in each year.

1864, ch. 309.

50. It shall not be lawful for any person to trap or shoot, or in any manner catch or kill any partridges in said county, at any season, during the night time.

Ibid.

51. Any person violating either of the two preceding sections, shall pay a fine of five dollars for each and every offence, to be recovered before a justice of the peace, one-half of said fine to go to the school fund and the other half to the informer.

1882, ch. 273.

52. It shall be unlawful for any person at any time to trap or capture, shoot or otherwise kill or injure, or pursue with such intent, within the limits of said county, any blue-bird, thrush, martin, mocking-bird, swallow, oriole, red-bird, cat-bird, sparrow, whippoorwill, wren, pewit, goldfinch, sapsucker, ground-robin, hanging-bird or woodpecker, or any song or insectivorous birds; but nothing contained in this section shall be so construed as to prevent the killing or capture of crows, blackbirds or birds of prey.

Ibid.

53. It shall be unlawful for any person knowingly and unnecessarily to destroy or disturb the eggs of any of the birds protected by the preceding section.

Ibid.

54. Any person violating any of the provisions of the two preceding sections shall, on conviction thereof, be fined in any