

in section 43; and on failure to pay said fine, shall be committed to the house of correction or the county jail for ten days, in the discretion of the justice of the peace trying the case.

1888, ch. 352.

**40.** It shall not be lawful for any person not a *bona fide* resident of said county, or any corporation, to shoot, entrap or in any manner to kill or catch any partridges, woodcock or rabbit in the said county without having first obtained from the clerk of the circuit court for said county a license permitting the person named in said license to shoot, kill or trap said game in said county during the time when the killing of said game is made lawful by section 38 of this sub-title of this article; and the person named therein shall pay the said clerk for such license the sum of twenty dollars, which amount shall be turned over to the board of school commissioners by the said clerk for the use of the public schools of said county, and fifty cents to be paid the clerk for his fee for issuing said license; and any non-resident convicted before any justice of the peace in the said county for violating the provisions of this section shall be fined twenty dollars for each and every offence, and shall forfeit his gun, ammunition and other apparatus; and on failure to pay said fine the offender shall be confined in the county jail for ten days, and the gun so forfeited shall be sold, after giving ten days' notice of time and place of sale by written notice posted at three or more public places in said county, at public auction, to the highest bidder, for cash, by the officer making the arrest; the proceeds of said sale, after deducting five dollars as a fee to the officer for making the sale, to be paid over to the justice of the peace before whom the offender was tried, to be held by the said justice of the peace, together with all other fines collected by him under the provisions of this section, to be by law disposed of as directed in section 43.

Ibid.

**41.** Any land owner may extend, in writing, the privilege of killing any partridge, quail, woodcock or rabbit upon his own land to whomsoever he may.

Ibid.

**42.** The possession by any person within said county of any partridges, quail, woodcock or rabbit, without having complied