

or branch robin, hanging bird or woodpecker; provided that nothing contained in this act shall be so construed as to prevent the killing or capture of crows or blackbirds.

SEC. 2 *And be it enacted*, That it shall be unlawful for any person to destroy or disturb the eggs of any of the birds protected by the provisions of this act. Unlawful

SEC. 3. *And be it enacted*, That any person violating any of the provisions of this act shall, on conviction thereof, be fined in any sum not less than two dollars and not more than ten dollars for each offence, to which shall be added the costs of the prosecution; and all prosecutions under this act shall be in the name of the State, before a justice of the peace of the election district in which said violation shall have occurred; and one-half of all fines collected under this act shall be paid to the informer, and the other half to the Commissioners of Somerset county, to be applied by them to the support of the public schools of said county. Penalty.

SEC. 4. *And be it enacted*, That the possession by any person within said county of any of the birds protected by this act as shot, killed or otherwise destroyed, shall be prima facie evidence to make such person liable for the fine for the violation of the provisions of this act; and it shall be the duty of the constables of said county to arrest all persons they may detect in or who may be charged with the violation of any of the provisions of this act, and to take them before the nearest justice, to be dealt with as hereinbefore directed. Evidence to convict.

SEC. 5. *And be it enacted*, That this act shall take effect from the date of its passage. In force.

Approved February 21, 1878.