

Permitting dogs to hunt birds, etc. squirrel, at any time when it is unlawful under any section of this act to hunt such bird, rabbit or squirrel, shall be deemed guilty of a misdemeanor, and upon conviction thereof by any justice of the peace for Kent county, shall forfeit and pay to the justice of the peace trying the case a fine of five dollars and costs of prosecution.

Penalty.

Dog may be killed. SEC. 41. Any dog or bitch found hunting any bird, rabbit or squirrel at any time when it shall be unlawful under any section of this act, to hunt such bird, rabbit or squirrel, may be killed by the person in possession of the property upon which such dog or bitch shall be found hunting, or by his order, while the said dog or bitch is on the said property; and the owner of such dog or bitch so killed shall not have the right to sue for and recover damages for the dog or bitch killed.

Failure to pay fines. SEC. 42. If any person convicted of violation of any section of this act shall fail to pay the cost of prosecution and the fine imposed by the justice of the peace trying the case, the said justice of the peace shall commit such person to the jail of the county for any period not exceeding thirty days; provided, that the payment of said costs and fines after his committal to jail shall discharge him from custody.

Right of appeal. SEC. 43. Any person who shall feel himself aggrieved by the decision of any justice of the peace in any case arising under this act shall have the right to appeal from such decision to the Circuit Court for Kent county.

Disposition of fines. SEC. 44. One-half of each fine collected by any justice of the peace for violation of any provision of this act, shall be by him paid to the informer, and one half thereof paid to the County Commissioners of Kent county, for the use of said county; and the several justices of the peace of said county are required to report and pay over on the first day of January and July in each year, to the said County Commissioners, one-half of all fines collected by them under this act; and any justice of the peace failing to report and pay over such fines on said dates, shall be deemed guilty of wilful neglect of duty and misdemeanor in office, and upon conviction thereof in the Circuit Court for Kent county, shall be removed from office by the judge or judges sitting at his trial in said court.

Arrest of violators. SEC. 45. It shall be the duty of each constable and bailiff of Kent county to arrest all persons whom they may see or know to be violating any section of this act, and take them before a