

and it shall be the duty of all Market Clerks and Policemen or Constables, on the spot to seize and confiscate, and if alive, to liberate such birds. 36 V. c. 45, s. 5.

Eggs or birds  
required for  
scientific pur-  
poses.

6. The Commissioner of Agriculture, and all persons authorized by him to that effect, may grant written permission to any person or persons who may be desirous of obtaining birds or eggs for *bona fide* scientific purposes, to procure them for that purpose, and such person or persons shall not be liable to any penalty under this Act. 36 V. c. 45, s. 6.

Penalties.

7. The violation of any provision of this Act shall subject the offender to the payment of not less than one dollar, and not more than twenty dollars with costs, on summary conviction, on information or complaint before one or more Justices of the Peace.

Application of  
fines.

(2.) The whole of such fine shall be paid to the prosecutor, unless the convicting Justice or Justices have reason to believe that the prosecutor is in collusion with and for the purpose of benefiting the accused, in which case the said Justice or Justices may order the disposal of the fine as in ordinary cases.

Imprisonment.

(3.) In default of payment of such fine and costs, the offender shall be imprisoned in the nearest Common Gaol for a period of not less than two and not more than twenty days, at the discretion of such Justice or Justices of the Peace. 36 V. c. 45, s. 7.

Conviction not  
invalid for want  
of form.

8. No conviction under this Act shall be annulled or vacated for any defect in the form thereof, or for any omission or informality in any summons or other proceeding under this Act, so long as no substantial injustice results therefrom. 36 V. c. 45, s. 8.

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