

any net, trap, springs, snare, cage, or other machine or engine, by which any bird whatsoever, save and except eagles, falcons, hawks, owls, wild pigeons, king-fishers, jays, crows, and ravens, might be killed and captured ; any net, trap, spring, snare, cage, or other machine or engine, set either wholly or in part for the purpose of either capturing or killing any bird or birds, save and except eagles, falcons, hawks, owls, wild pigeons, king-fishers, crows, jays, and ravens, may be destroyed by any person, without such person incurring any liability therefor.

"It shall not be lawful to take, injure, destroy, or have in possession any nest, young, or egg of any bird whatsoever, except of eagles, falcons, hawks, owls, wild pigeons, king-fishers, jays, crows, and ravens.

Any person may seize, on view, any bird unlawfully possessed, and carry the same before any Justice of the Peace, to be by him confiscated, and, if alive, to be liberated ; and it shall be the duty of all market clerks, and police officers, or constables, on the spot, to seize and confiscate, and, if alive, to liberate such birds : Provided always, that this Act shall not apply to any imported cage birds or other domesticated bird or birds generally known as cage birds, or to any bird or birds commonly known as poultry.

"The violation of any of the provisions 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 ; and the whole of such fine shall be paid to the prosecutor, unless the convicting justice or justices shall 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 ; and in default of payment of such fine and costs, the offender shall be imprisoned, in the nearest common gaol, for a period not less than two and not more than twenty days, at the discretion of such Justice or Justices of the Peace."

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