

No. 174.

AN ACT

To prevent the destruction of insectivorous birds and game, in the counties of Philadelphia, Northampton, Bucks, Lancaster, Dauphin and Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That from and after the passage of this act, it shall not be lawful for any person in the counties of Philadelphia, Luzerne, Northampton, Bucks, Lancaster and Dauphin, to shoot, kill or otherwise destroy, during the months of March, April, May, June, July and August, in each and every year thereafter, any robin, flicker, blue bird, woodpecker, sapsucker, thrush, or other insectivorous bird, under a penalty of five dollars for each and every offence.

Time prescribed. SECTION 2. That from and after the passage of this act, no person shall shoot or otherwise kill, in the said counties, any pheasant between the first days of February and September, nor any partridge between the first day of February and the twentieth day of September, nor any woodcock between the first of January and the first day of July, nor any rabbit between the first day of February and the fifteenth day of October, in any year hereafter, under a penalty of ten dollars, for each and every offence.

Penalty for buying out of season. SECTION 3. No person shall buy or cause to be bought, or carry out of said counties, for the purpose of supplying any private or public house or market, any pheasant, partridge, woodcock or rabbit, unless the same shall have been shot or taken in the proper season, as provided in this act, under a penalty of ten dollars, for each and every offence.

Recovery of fines. SECTION 4. Any person offending against any of the provisions of this act, shall forfeit and pay the sum or fine attached to the same, with all costs and charges, which may be recovered before any alderman or justice of the peace for the counties aforesaid, as debts of similar amount are by law recoverable, the one-half of the fine for the use of the informer, and the other half for the use of the county.

Construction. SECTION 5. That this act shall not prevent any person or persons from shooting or otherwise killing game or insectivorous birds, on his, her or their own property, at any season of the year.

Trespass. SECTION 6. That this act shall not interfere with any existing law or laws, to prevent trespass, or the firing of guns near public highways.

Repeal. SECTION 7. That any act or acts conflicting with the provisions of this act, are and the same are hereby repealed.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM BIGLER,
Speaker of the Senate.

APPROVED—The eleventh day of April, one thousand eight hundred and forty-four.

DAVID R. PORTER.