

have in his or their possession any trap, net or snare to be used to capture or kill any such birds, game or water fowl, and any trap, net or snare which shall be found upon the land, marsh or waters of any person or persons shall be deemed prima facie evidence of the ownership and possession of, and of the intent and purpose to capture or kill such birds or fowl on the part of the owner or tenant of such land, marsh or waters; and no person shall destroy or molest the eggs or nest of any of said birds or water fowl at any time.

SEC. 35D. No person shall hunt or kill any quail, partridge or rabbit during any closed season with any dog or gun, and no person shall hunt or kill any quail, partridge or rabbit with dog or gun on any Sunday; no person shall shoot or catch any quail, partridge, woodcock, dove, squirrel or rabbit when snow is on the ground.

SEC. 36. Every person who shall be convicted before any Justice of the Peace or the Circuit Court for violating Section 35, or Section 35A, shall be deemed guilty of a misdemeanor and shall pay a fine of ten dollars for each and every quail, partridge, dove, woodcock, squirrel, rabbit and summer or wood duck killed, carried, sold, shipped, received for shipment or found in their possession contrary to the provisions of Section 35A, and in default of payment of the fine imposed hereunder, together with all costs, shall be committed to the county jail for not less than thirty days, nor more than six months, or until both fine and costs are paid. Every person who shall be convicted under Section 35B shall be deemed guilty of a misdemeanor and shall be fined not less than twenty-five dollars, nor more than one hundred dollars, for each offense, and every gun which is not habitually fired from the shoulder, as therein set forth, shall be seized, forfeited and destroyed; every person convicted under Section 35C shall be guilty of a misdemeanor and shall be fined not less than fifty dollars, nor more than two hundred dollars, or be imprisoned in the county jail for not less than six months, nor more than one year, or both fine and imprisonment, in the discretion of the Justice of the Peace or Circuit Court; every person convicted under Section 35D shall be deemed guilty of a misdemeanor and shall be fined the sum of five dollars for each and every offense, or be imprisoned in the county jail for not more than sixty days, or both, in the discretion of the Justice of the Peace or the Circuit Court.

SEC. 2. *And be it enacted,* That this Act shall take effect from the date of its passage.

Approved April 11, 1910.