# THE STATE OF OHIO.

# GENERAL AND LOCAL LAWS

AND

# JOINT RESOLUTIONS,

PASSED BY THE

## SIXTY-FIRST GENERAL ASSEMBLY,

AT THE REGULAR SESSION,

Begun and held at the City of Columbus, January 5, A.D. 1874, and in the 72d Year of said State.

## VOLUME LXXI.

COLUMBUS:
NEVINS & MYERS, STATE PRINTERS.
1874.

## AN ACT

To amend an act entitled an act to provide for the organization and government of Municipal Corporations, passed May 7, 1869.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section ninety-five of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7th, 1869, be and the same is hereby amended so as to read as follows:

Process to compel attendance of witnesses.

Section 95. To enable the council fully to investigate charges against the members thereof, or other officers, or such other matters as they may deem proper, the mayor or police judge, at the request of the council, is hereby empowered to issue subpœnas or compulsory process to compel the attendance of persons and the production of books and papers before the council or any committee of the same. The testimony of any witness examined and testifying before the council, or any committee of the same, shall not be used as evidence in any criminal proceeding against him, except such proceeding be for perjury: Provided, however, that no official paper or record shall be included within the privilege of said evidence, so as to protect such witness from any criminal proceeding; and no witness before the council or any committee of the same shall be allowed to refuse to testify to any fact, or to produce any paper, touching which he shall be so examined, for the reason that his testimony, or the production of such paper, may tend to disgrace him or subject him to a criminal proceeding.

Testimony not to be used against witness, etc.

SEC. 2. That section ninety-five be and the same is hereby repealed.

SEC. 3. This act shall be in force from and after its passage.

GEO. L. CONVERSE,
*Speaker of the House of Representatives.*
ALPHONSO HART,
*President of the Senate.*

Passed April 20, 1874.

---

## AN ACT

To protect certain birds and game, and to protect land owners and punish trespassing upon improved or enclosed land, and to repeal certain statutes therein designated.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That it shall be unlawful for any person, at any time, to catch, kill or injure, or to pursue with such intent, any sparrow, robin, blue-bird, martin, thrush, mocking-bird, swallow, oriole, red-bird, gross beak, cat-bird, chewit or ground robin, pewee or phœbe bird, wren, cuckoo, indigo-

Birds that may not be killed or injured at any time.

bird, nut-hatch, creeper, yellow-bird or fringilla, yellow hammer or flicker, warbler or finch, maris, red starb, dummock, nightingale, cross-bill, or corn crake, Hungarian robin, European black-bird, great tit or blue tit.

Animals that may be killed at specified times.

SEC. 2. It shall be unlawful for any person in any place, to catch, kill or injure, or to pursue with such intent any quail or Virginia partridge, or any wild turkey, between the first day of January and the fifteenth of October, inclusive; or, any ruffled grouse or pheasant, pinnated grouse or prairie chicken, blue winged teal, mallard or wood duck, or other wild duck, wild goose or brant, at any time between the first day of January and the first day of September; or, at any time between the first day of January and the fourth day of July, to catch, kill or injure, or to pursue with such intent any wood cock, or to catch, kill or destroy, or to pursue with such intent on the land of another, between the first day of January and the first day of October, any wild rabbit or hare. And it shall be unlawful for any person at any time to catch by snare or trap any quail or Virginia partridge. And it shall be unlawful for any person, by the aid or use of any swivel or punt gun, or any other than the common shoulder gun, or by the aid or use of any push boat or sneak boat, used for carrying such gun, to catch, kill or wound, or destroy or to pursue after, with such intent, upon any of the waters, bays, rivers, marshes, mud flats, or any cover to which wild fowl resort, within the state of Ohio, any wild goose, wild duck, or brant.

Use of snares, traps, &c., forbidden.

Protection of eggs of birds designated.

Penalty for violation of this act.

SEC. 3. And it shall be unlawful for any person to destroy or disturb the eggs of any of the birds protected by this act; and any person offending against any of the foregoing provisions of this act, shall be fined in any sum not less than two dollars nor more than twenty-five dollars for each offense, on conviction in the proper court, or be imprisoned in the county jail not more than twenty days, or both, at the discretion of the court, and pay the costs of prosecution.

Discharge of fire-arms forbidden in certain places.

SEC. 4. No person, when shooting on the land of another, shall discharge any fire arms on any lawn, pleasure ground, orchard or other ground, which is directly appurtenant to or within gunshot of an occupied dwelling house. The penalty for violating this section shall be a fine of not less than five nor more than twenty dollars, or be imprisoned not more than thirty days, or both, at the discretion of the court, and pay the costs of prosecution.

Unlawful to shoot, kill, &c., on land of another, without leave.

SEC. 5. It shall be unlawful to shoot at, kill or pursue with such intent on the enclosed or improved lands of another, any of the birds or game protected by this act, after receiving notice to leave said land or premises by the owner, his agent or any person having charge thereof. This notice may be verbal or written, served on the party to be notified or by putting up a board not less than two feet long by one foot wide, inscribed with legible characters in English, that "no shooting or hunting will be allowed on these premises," which shall be set up at least ten feet from the ground on a post, in some conspicuous place on the premises, either of which shall be deemed sufficient notice under this act: Pro-