

ACTS AND RESOLVES,

PASSED BY THE

GENERAL ASSEMBLY

OF THE

State of Rhode Island and Providence Plantations,

AT THE

MAY AND SPECIAL JUNE SESSION, 1890.

STATE OF RHODE ISLAND, ETC.,
OFFICE OF THE SECRETARY OF STATE, SEPTEMBER, 1890.

PROVIDENCE:
E. L. FREEMAN & SON, STATE PRINTERS.
1890.

CHAPTER 897.

AN ACT IN AMENDMENT OF AND IN ADDITION TO CHAPTER 94 OF THE PUBLIC STATUTES "OF BIRDS."

Passed May 30,
1890.

It is enacted by the General Assembly as follows :

SECTION 1. Section 4 of Chapter 94 of the Public Statutes of the State of Rhode Island is hereby amended so as to read as follows :

"SEC. 4. Every person who shall take or kill, sell, buy or offer for sale or have in his possession any woodcock from the first day of January to the first day of September ; any ruffed grouse or partridge from the first day of January to the first day of September ; any quail from the first day of January to the first day of October ; any Bartram's tattler or upland plover, commonly known in Rhode Island as grass plover, from the first day of April to the first day of August ; any dusky or black duck from the first day of March to the first day of September ; any wood duck or summer duck from the first day of March to the first day of September ; any blue or green winged teal from the first day of March to the first day of September shall be fined twenty dollars for each of said birds, and every person who shall pursue with intent to kill any of the birds mentioned in this section, within the times wherein the killing of such birds is forbidden shall be fined twenty dollars for each offence."

Penalty for killing, etc., certain birds at certain seasons.

SEC. 2. Section 6 of Chapter 94 of the Public Statutes of Rhode Island is hereby amended so as to read as follows :

"SEC. 6. Every person who shall at any time of year, take, kill or destroy any quail or partridge, by means of any trap, snare, net or spring, or who shall construct, erect, set, repair, maintain or tend any trap, snare, net, or spring for the purpose of taking, killing or destroying any quail or partridge, or who shall shoot any water fowl by means or by the use of any battery, swivel, punt or pivot gun, shall be fined for each offence, twenty dollars. *Provided*, however, that at such seasons as the taking, killing or destroying of such

Quails and partridges not to be snared, etc.

birds is not prohibited by this chapter, any person may snare on his own land.

SEC. 3. Section 14 of Chapter 94 of the Public Statutes is hereby amended so as to read as follows:

Special constables, how appointed, etc.

"SEC. 14. Every town council and city council shall annually in the month of April appoint not less than one nor more than four suitable persons as special constables, who shall be sworn to the faithful discharge of their duty, and who shall prosecute every person violating the provisions of this chapter, and such special constables so appointed and sworn shall not be required to give recognizance for costs upon making or in the prosecution of complaints under the provisions hereof."

Powers of.

SEC. 4. Any special constable appointed as aforesaid may, without warrant, arrest any person whom he finds in the act of violating any of the provisions of this chapter, or of any act or acts in addition thereto, or in amendment thereof, and may detain them until warrants can be procured against them, and may without warrant seize any birds found in the possession of any person at any time when the killing of such birds is prohibited by law. *Provided*, that any person so arrested without warrant shall not be detained longer than twelve hours.

Same subject.

SEC. 5. Whenever complaint is made on oath to any magistrate authorized to issue warrants, in criminal cases, that the complainant believes and has reasonable cause to believe, that the laws in relation to birds have been or are being violated in any building or place, such magistrate, if satisfied that there is reasonable cause for such belief, shall issue a search warrant, authorizing any officer competent to serve a warrant, to search such building or place, but no search shall be made after sunset, unless specially authorized by the magistrate upon satisfactory cause shown.

SEC. 6. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 7. This act shall take effect immediately upon its passage.