

March 3, 1899.

CHAP. 417.—An Act For the protection of birds, preservation of game, and for the prevention of its sale during certain closed seasons in the District of Columbia.

District of Columbia.
 Protection of birds
 and preservation of
 game.
 Closed seasons.
 Birds.

Rabbits or squirrels.

Snipe or plover.

Deer meat or veni-
 son.
 —exposure, for sale,
 etc., prohibited.

Carnivorous and in-
 sectivorous birds.

Shooting wild ducks
 and birds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no person shall kill, expose for sale, or have in his or her possession, either dead or alive, any partridge, otherwise quail, between the first day of February and the first day of November; nor kill, expose for sale, or have in his or her possession, either dead or alive, any woodcock, between the fifteenth day of January and the fifteenth day of July; nor kill, expose for sale, or have in his or her possession, either dead or alive, any prairie chicken, otherwise pinnated grouse, between the first day of February and the first day of September; nor kill, expose for sale, or have in his or her possession, either dead or alive, any ruffed grouse, otherwise known as pheasant, between the twenty-sixth day of December and the first day of November, except the English ring neck pheasant, or other pheasants of foreign origin, hatched and raised in farm poultry inclosures; nor kill, expose for sale, nor have in his or her possession, either dead or alive, any wild turkey, between the twenty-sixth day of December and the first day of November; nor kill, expose for sale, nor have in his or her possession, either dead or alive, any rabbit, except the species known as the English rabbit or squirrel, between the first day of February and the first day of November; nor kill, expose for sale, or have in his or her possession, either dead or alive, any snipe or plover, between the first day of May and the first day of September; nor kill, expose for sale, or have in his or her possession, either dead or alive, any wild duck, wild goose or brant, between the first day of May and the first day of September; nor kill, expose for sale, or have in his or her possession, either dead or alive, any water rail or ortolan, reed bird or rice bird or marsh blackbird, between the first day of February and the twentieth day of August; nor shoot at nor kill the same except on Tuesdays, Thursdays, and Saturdays, between the twenty-first day of August and the first day of February, under a penalty of five dollars for a violation of any of the provisions of this section, and in default thereof to be imprisoned in the workhouse for a period not exceeding thirty days.

SEC. 2. That no person shall expose for sale or have in his or her possession any deer meat or venison, between the first day of January and the first day of September, under a penalty of ten dollars for such exposure for sale or having in possession, and the forfeiture of all such deer meat or venison to the officer making the arrest, who shall destroy the same; and, in default of fine, to be imprisoned in the workhouse for a period not exceeding sixty days.

SEC. 3. That no person shall expose for sale or have in his or her possession dead, at any time, any turkey buzzard, wren, bluebird, humming bird, blue jay, robin or migratory thrush, wood or song robin, martin, mocking bird, swallow, oriole, red or cardinal bird, catbird, pewit, whip-poor-will, goldfinch, sapsucker, hanging bird, woodpecker, crow blackbird, or other insectivorous bird, save for scientific purposes upon permit from the superintendent of police of the District of Columbia, in accordance with such restrictions as the Secretary of the Smithsonian Institution may prescribe, and excepting the English sparrow; nor rob the nest of any wild bird of eggs or young or destroy such nest, except in the clearing of lands of trees or brush; nor trap, net, or ensnare any wild bird or water fowl mentioned in this chapter, or have in his possession any trap, snare, net, or illuminating device for the purpose of killing or capturing any wild duck, wild goose, wild brant or bird, under a penalty of five dollars for each wild duck, wild goose, wild brant, or bird killed or captured, or bird's nest and eggs destroyed, and, in default, to be imprisoned in the workhouse not exceeding thirty days.

SEC. 4. That no person shall kill or shoot at any wild duck, wild goose, brant, or wild bird in the nighttime; nor kill or shoot at any wild duck, wild goose, wild brant, or wild bird with any other firearm,

gun, or device than such as are habitually raised at arm's length and fired from the shoulder, under a penalty of five dollars for each wild duck, wild goose, wild brant, or wild bird killed, and in default thereof to be imprisoned in the workhouse for a period not exceeding thirty days; and the further penalty of twenty dollars for having any firearm, gun, or device other than the gun habitually used at arm's length, in possession, for the purpose of violating the provisions of this chapter, and, in default, to be imprisoned in the workhouse for a period not exceeding ninety days.

—penalty.

SEC. 5. That to carry out the provisions of this chapter any police officer, game warden having police authority, or health officer, in the District of Columbia, with sworn information presented to such officer or warden, is authorized and empowered to thoroughly inspect any house, boat, market box, stall, cold storage, or other place of whatever character or kind, where he may believe game, meats, or birds, as heretofore mentioned in this chapter, may be stored or kept; and any proprietor, agent, employee, or other person refusing to permit such inspection shall be deemed guilty of interference with the police, and, upon conviction therefor, be fined not more than one hundred dollars nor less than twenty-five dollars, and, in default of such payment, to be imprisoned in the United States jail not exceeding six months.

Inspection of places believed to contain game, etc.

—penalty for refusal to permit.

SEC. 6. That any person who shall knowingly trespass on the lands of another for the purpose of shooting or hunting thereon, after due notice by the owner or occupant of lands, shall be liable to such owner or occupant in exemplary damages to an amount not exceeding one hundred dollars. That notice shall be given by erecting and maintaining signboards, at least eight by twelve inches in dimensions, on the borders of the premises, and at least two such signs for every fifty acres; and any person who shall maliciously tear down or in any manner deface or injure any of such signboards shall be liable to a penalty of not less than five dollars for each and every signboard so torn down, defaced, or injured; and, in default, to be imprisoned for a period not exceeding thirty days in the workhouse.

Trespass for purpose of hunting.

Notice by signboards.

—penalty for destroying.

SEC. 7. That there shall be no shooting, or having in possession in the open air the implements for shooting, on the first day of the week, called Sunday, except to transport said implements within or without the District of Columbia; and any person violating the provisions of this section shall be liable to a penalty of not more than twenty dollars for each offense.

Shooting, etc., on Sunday prohibited.

SEC. 8. That wherever in this Act possession of any birds, fowls, or meats is prohibited, the fact that the said birds, fowls, or meat were killed or captured outside the District of Columbia shall constitute no defense for such possession.

No defense that birds were killed outside the District.

SEC. 9. That any officer or other person securing the conviction of any violator of any of the provisions of this Act, in the police court or other court of the District of Columbia, shall receive one-half of any fine which may be imposed and paid for such violation, and prosecution shall be brought in the name of the District of Columbia.

Half fine to officer, etc., securing conviction.

SEC. 10. That all acts now in force in the District of Columbia inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Repeals.

Approved, March 3, 1899.

CHAP. 418.—An Act To prevent the sale of intoxicating liquors on Sunday in the District of Columbia.

March 3, 1899.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be unlawful for any maker, brewer, or distiller of beer or other intoxicating liquors in the District of Columbia, or other person or corporation or the agent or servant of such maker, brewer, or distiller, or the agent or servant

District of Columbia. Sale, etc., of intoxicating liquors on Sunday prohibited.