

No. 10.—1881.

5th July.

AN ORDINANCE for the Protection of certain Wild
Birds.(L.S.) S. FREELING, *Governor.*

6th July, 1881.

BE it enacted by His Excellency the Governor, with the advice and consent of the Legislative Council, as follows :—

1. This Ordinance may be cited for all purposes as the Short title.
“Wild Birds Protection Ordinance, 1881.”

2. In this Ordinance,

The term “wild bird” means any bird specified in the Interpreta-
tion.
first or second Schedule to this Ordinance.

3. Any person who knowingly kills, wounds or takes Protection of
birds in first
schedule.
any wild bird specified in the first Schedule to this Ordinance, or who exposes or offers for sale, or knowingly has in his possession any such wild bird killed, wounded or taken after the coming into operation of this Ordinance, or any part of such bird, shall be guilty of an offence against this Ordinance, and on conviction thereof shall incur for each wild bird or part, in respect of which the offence is committed, a penalty not exceeding five pounds.

4. Where after the coming into operation of this Ordinance any person has in his possession any wild bird specified in the first Schedule to this Ordinance, the proof that such wild bird was killed, wounded or taken before the coming into operation of this Ordinance, or out of the Colony, shall be upon such person.

Where after the coming into operation of this Ordinance any person has in his possession any part of a wild bird specified in the first Schedule to this Ordinance, the proof that the wild bird to which the part belonged was killed before the coming into operation of this Ordinance, or out of this Colony, shall be on the defendant.

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Protection of
birds in
second
schedule.

5. Any person who

Between the first day of April and the first day of September in any year, knowingly kills, wounds or takes any wild birds specified in the second Schedule to this Ordinance shall be guilty of an offence against this Ordinance.

Any person who

Between the first day of April and the first day of September in any year, exposes or offers for sale or purchases any wild birds specified in the second Schedule to this Ordinance shall be guilty of an offence against this Ordinance.

Any person guilty of an offence under this section shall, for each wild bird in respect of which the offence is committed, incur a penalty not exceeding five pounds.

Persons
found
offending.

6. Where any person is found offending against this Ordinance it shall be lawful for any other person to require the offender to give his name, description and place of abode, and in case the offender does not truly give his name, description and place of abode, such offender shall be guilty of an offence against this Ordinance, and shall for such offence, in addition to any other penalty to which he is liable under this Ordinance, incur a penalty not exceeding five pounds.

Punishment
of offences.

7. Every offence against this Ordinance shall be an offence punishable on summary conviction; but in any proceeding under this Ordinance the defendant may tender himself and be examined as a witness on his own behalf.

Any offence against this Ordinance committed on the sea-coast or at sea beyond the limits of any town, county, or district, may be inquired of, heard and determined in any town, county, or district, abutting on such sea-coast or adjoining such sea.

Any offence against this Ordinance committed in or upon any water forming the boundary between any two counties or districts may be inquired of, heard and determined in either of such counties or districts.

Forfeiture.

8. Any of the birds mentioned in the first Schedule to this Ordinance, or any part of such birds, in respect

of which a conviction takes place, shall be forfeited to Her Majesty.

9. Notwithstanding anything in this Ordinance, the Governor, by writing under his hand, may for such time and subject to such conditions as he thinks fit, authorize any person for scientific purposes, to kill, wound or take any bird specified in either of the Schedules to this Ordinance.

Power to Governor to authorize killing of birds for scientific purposes.

10. The Governor may with regard to any particular species of, or with regard to all of the wild birds mentioned in the second Schedule to this Ordinance, and with respect to any particular part of the Island by Proclamation extend or vary the time during which the killing, wounding, taking, exposing, offering for sale and purchasing of any of them are prohibited by this Ordinance. After such Proclamation, the penalties imposed by this Ordinance in respect of such wild birds shall, in the part of the Island mentioned in such Proclamation, apply only to offences committed during the time specified in such Proclamation.

Close season may be varied by proclamation.

Such Proclamation shall be published in the *Royal Gazette*.

A copy of the *Royal Gazette*, containing any Proclamation made under this Ordinance, shall be evidence of the same having been made.

11. This Ordinance shall come into operation on the thirty-first day of August, one thousand eight hundred and eighty-one, and on the same day "The Wild Birds Protection Ordinance, 1875," and "The Wild Birds Protection Ordinance, 1878," shall, except as to offences committed and penalties incurred under any of them be repealed.

Commencement of Ordinance and repeal of former Ordinances.

Passed in Council this fifth day of July, in the year of Our Lord One thousand eight hundred and eighty-one.

A. C. ROSS,
Clerk of the Council.

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THE FIRST SCHEDULE.

Aigrette (Egret).	Houtou.
Aileronne.	Huitrier.
Aras (Macaw).	Jacamar.
Arrivant.	Louis d'or.
Bec d'Argent (Silver-beak).	Manakin.
Beccur.	Mangeur de cacao.
Bénédictin.	Martin pecheur (King Fisher).
Campanéro.	Merle Corbeau (Tic Bird).
Cardinal.	Officier.
Carouge.	Oiseau bleu
Casse-noisette.	Ortolan bleu (Pigeon).
Charpentier (Wood Pecker).	Paul perruquier.
Cici zèbe.	Père noir.
Colibri (Humming Bird).	Perruche.
Coq-Bois (Cock of the woods).	Pie-grièche.
Cottinga.	Pintade bois.
Coucou.	Pipiri.
Coucou manioc.	Qu'est-ce qu'il dit?
Couroucou.	Rossignol.
Diable enrhumé.	Rouge-gorge.
Fauvette.	Sucrier.
Figuier.	Tairico.
Fourmilier.	Tillon.
Gobe-mouche.	Toucan.
Grimpereau (Tree-hopper).	Trinité.
Grimpeur.	Vert-de-gris.
Grive (Thrush).	Vert-vert.
Gros-bec.	Veuve.
Guiouti.	

THE SECOND SCHEDULE.

Bécard.	Merle à queue jaune (Corn Bird).
Bécasse (Wood cock).	Paoui.
Bécassine (Snipe).	Perdrix (Partridge).
Caille (Quail).	Plongeon (Diver).
Canard sauvage (Wild Duck).	Poule d'eau (Water-fowl).
Couchante.	Poule savane (Savana hen).
Crao.	Quioc.
Diablotin (Cave Bird or Gua-charo).	Ramier (Pigeon).
Flamant (Flamingo or Red Ibis).	Ricuit.
Jacquot (Parrot).	Sarcelle (Teal).
	Tourterelle (Dove).
