

SECTION 2. Chapter two hundred and seventy-seven of the acts of the year eighteen hundred and sixty-nine is hereby repealed. Repeal of
1869, 277.

SECTION 3. This act shall take effect upon its passage.

Approved March 29, 1877.

AN ACT FOR THE PRESERVATION AND PROTECTION OF BIRDS, BIRDS' EGGS, DEER AND GAME. Chap. 95.

Be it enacted, &c., as follows:

SECTION 1. Whoever in this Commonwealth takes or kills any woodcock, or any ruffed grouse commonly called partridge, between the first day of January and the first day of September in any year, or any quail between the first day of January in any year and the first day of November following, or within the respective times aforesaid, sells, buys, has in his possession, or offers for sale any of said birds taken or killed within this Commonwealth, shall forfeit for every such bird twenty-five dollars. Preservation of
game—
Woodcock,
partridge and
quail.

SECTION 2. Whoever in this Commonwealth takes or kills any wood or summer duck, black duck, or teal, between the fifteenth day of April and the first day of September in any year, or within said time sells, buys, has in possession, or offers for sale any of said birds, shall forfeit for every such bird twenty-five dollars. Wood duck,
black duck
and teal.

SECTION 3. Whoever in this Commonwealth takes or kills any Bartramian sandpiper, commonly called upland or field plover, between the first day of January and the fifteenth day of July in any year, or within said time sells, buys, or has in his possession or offers for sale any of said birds, shall forfeit for every such bird ten dollars. Upland plover.

SECTION 4. Whoever in this Commonwealth takes or kills at any season of the year any undomesticated birds not named in the preceding sections of this act, except birds of prey, crows, crow blackbirds, herons, bitterns, wild pigeons, jays, rail, Wilson's snipe, wild geese, plover, sandpiper, or any of the so called marsh, beach or shore birds, and such fresh-water or sea fowl as are not named in the preceding sections of this act, or wilfully destroys or disturbs the nests or eggs of any undomesticated birds, except the nests and eggs of birds of prey or crows, shall forfeit for every such offence ten dollars: *provided*, that any person having a certificate from the Museum of Comparative Zoölogy at Cambridge, the Massachusetts Agricultural College at Amherst, the Boston Society of Natural History, the Worcester Lyceum and Natural History Undomesticated
birds, except
birds of prey,
etc.

Proviso.

Society, the Peabody Academy of Science at Salem, or from any incorporated society of natural history or college in the state, to the effect that he is engaged in the scientific study of ornithology, or is collecting in the interests of and for said institutions, or any one of them, may at any season of the year take or kill any undomesticated birds, or take their nests and eggs.

Snares not to be used, except for wild pigeons.

SECTION 5. Whoever in this Commonwealth at any season of the year takes, kills or destroys any game bird, except wild pigeons, by means of traps, snares, nets, or springes, or shoots at or kills any wild fowl or any of the so called shore, marsh, or beach birds, with or by the use of any battery, swivel or pivot gun, or by the use of any torch, jack or artificial light, shall forfeit for every such offence twenty-five dollars.

Deer not to be killed or taken prior to Jan. 1, 1880.

SECTION 6. Whoever in this Commonwealth at any season of the year prior to the first day of January eighteen hundred and eighty, and whoever thereafter between the first day of December in any year and the first day of October following, takes or kills any deer (except his own tame deer kept on his own grounds) shall forfeit for every such offence one hundred dollars; and any person may kill any dog found chasing or hunting deer where the dog is used for that purpose with the knowledge of his owner or keeper; and whoever, between the first day of March in any year and the first day of October following, takes or kills any gray squirrel, hare or rabbit, shall forfeit for every such offence ten dollars.

Pinnated grouse or prairie-chicken.

SECTION 7. Whoever in this Commonwealth at any season of the year takes or kills any pinnated grouse, commonly called prairie-chicken, unless upon ground owned by him, and grouse placed thereon by the owner, shall forfeit for every such bird twenty-five dollars: *provided*, that any person may buy, sell, or have in possession quail and pinnated grouse, commonly called prairie-chicken, at any time, provided the same be not taken or killed in this Commonwealth contrary to the provisions of this act.

Possession of game to be *prima facie* evidence to convict.

SECTION 8. In all prosecutions under the provisions of this act, the possession by any person or corporation of any gray squirrel, deer, or of birds mentioned as protected in this act, during the time within which the taking or killing of the same is prohibited, shall be *prima facie* evidence to convict under this act.

SECTION 9. All forfeitures accruing under this act shall be paid, one-half to the informant or prosecutor, and one-half to the city or town where the offence is committed. Forfeitures.

SECTION 10. Chapter three hundred and four of the acts of the year eighteen hundred and seventy, chapter three hundred and twenty of the acts of the year eighteen hundred and seventy-one, chapters fifty-seven and seventy-seven of the acts of the year eighteen hundred and seventy-four, and chapter one hundred and seventy-two of the acts of the year eighteen hundred and seventy-five are hereby repealed. Repeal of
1870, 304.
1871, 320.
1874, 57.
1874, 77.
1875, 172.

Approved March 31, 1877.

AN ACT GIVING STABLE-KEEPERS A LIEN UPON HORSES FOR THEIR CHARGES. Chap. 96.

Be it enacted, &c., as follows:

SECTION 1. Stable-keepers shall have a lien on the horses brought by, or with the consent of, the owners thereof to their stables for all proper charges due for keeping and boarding such horses, and the lien may be enforced as provided in sections twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven and twenty-eight of chapter one hundred and fifty-one of the General Statutes. Lien upon
horses for
keeping and
boarding.

SECTION 2. This act shall take effect upon its passage.

Approved March 31, 1877.

AN ACT RELATING TO THE DISSOLUTION OF CERTAIN ATTACHMENTS BY TRUSTEE PROCESS. Chap. 97.

Be it enacted, &c., as follows:

SECTION 1. Any person or corporation having an interest, by assignment or otherwise, in money or credits attached by trustee process in an action against another, may at any time before final judgment dissolve such attachment or any part thereof by giving bond, in a sum not exceeding the damages demanded, with sufficient sureties, to be approved by the plaintiff or his attorney in writing, or by a master in chancery, with condition to pay to the plaintiff the sum to which the bond applies and for which the trustee may be charged, if any, not exceeding the value of the property in his hands, or so much thereof as will satisfy the amount recovered by the plaintiff, within thirty days after final judgment or any special judgment entered in accordance with the provisions of section one of chapter sixty-eight of the acts of the year eighteen hundred and seventy-five. If there are several trustees such bond may Attachments by
trustee process
may be dis-
solved by giving
bond.