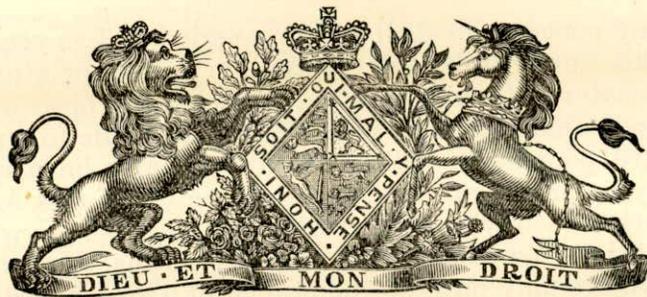


New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. XVIII.

An Act to protect certain imported and other Birds.
[Assented to, 1st June, 1893.]

WHEREAS it is expedient to repeal the "Birds Protection Act of 1881:" Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act shall come into force immediately on the passing thereof, and may be cited as the "Birds Protection Act of 1893."

Commencement.
Short title.

2. The Act forty-fifth Victoria number twenty-nine is hereby repealed.

Repeal of 45 Vic.
No. 29.

3. The expression "Protected bird" in this Act means any imported or native bird mentioned in or which may be added to the First and Third Schedules hereto. "Game bird"—any bird mentioned in or which may be added to the first or second parts of the Second Schedule hereto. "Scheduled bird"—a bird of any of the kinds or families mentioned in or which shall be added to any Schedule to this Act. And "Close season"—the periods of time prescribed by this Act for the protection of the birds included in the Schedules hereto.

Interpretation of
terms.

Birds Protection.

Colonial Secretary may add any bird to Schedules.

4. Any bird not mentioned in the Schedules hereto may, by direction of the Colonial Secretary by a notice published in the *Gazette*, at any time hereafter be added to the appropriate Schedule to this Act; and after the publication of such notice the provisions of this Act shall apply to such bird, and the production of the *Gazette* containing such notice shall be conclusive evidence of such addition.

Close Season.

5. The Close Season for all birds save quail included in the Second and Third Schedules hereto shall be the period of time between every first day of August and the thirty-first day of January then next succeeding, both days inclusive, and the Close Season for quail shall be the period of time between every first day of October and the thirty-first day of March then next succeeding, both days inclusive: Provided that the Colonial Secretary may by notice in the *Gazette* vary the period of the Close Season for any district described in such notice whenever it shall appear to him to be expedient so to do for the better preservation of the scheduled birds or any of them included in such Schedules.

Certain birds protected for five years.

6. Any person who shall within a period of five years from the passing of this Act, wilfully kill, capture, or injure, or attempt or use any means whatever to kill, capture, or injure any birds in the First Schedule hereto shall, for each such offence, be liable to a penalty not exceeding five pounds in addition to any penalty he may incur by reason of any infringement of the seventh section of this Act.

Penalty for killing, &c., protected birds during the close season.

7. Any person who shall during the close season wilfully kill, capture, or injure, or attempt, or use any means whatever to kill, capture, or injure any bird in the Second or Third Schedule hereto, shall for each such offence be liable to a penalty not exceeding five pounds.

Penalty for having dead birds in possession.

8. Any person who shall sell or offer for sale, or shall have in his control or possession during the close season, any scheduled bird recently killed or taken, shall for every such bird be liable to a penalty not exceeding five pounds, unless he shall prove that the bird was killed, taken, bought, or received, either during the period in which such bird could legally be killed, or in or from another Colony.

Punt guns not to be used, &c.

9. No firearms having a greater length of barrel than six feet or with the bore exceeding one inch in diameter shall be used for the purpose of shooting any scheduled bird, and no firearms of any description intended to be used for such purpose shall be affixed to any boat, punt, or floating vessel of any kind during any period of the year, or be loaded with a charge exceeding four drachms of gunpowder or two ounces of shot, and any person offending against the provisions of this section shall be liable to a penalty not exceeding ten pounds.

Penalty on taking or destroying eggs.

10. If any person shall take out of the nest or destroy in the nest the eggs of any scheduled bird, he shall be liable to a penalty not exceeding the sum of ten shillings for each egg so taken or destroyed.

Act not to extend to birds domesticated.

11. Nothing in this Act shall apply to the taking or killing of any bird in a domesticated state or ordinarily in confinement by the owner thereof, or to the taking or destroying of the eggs of any such bird by him, or to any eggs, or any such bird taken or killed within any mew or breeding place by the owner thereof: Provided that the bird so killed or taken shall not have been originally caught or taken during the close season.

Birds may be protected in preserves.

12. Whenever any sheet of water, island, or enclosed land has been or shall be set apart by the Government or any private person for preserving any scheduled birds, the Colonial Secretary may declare by notice in the *Gazette* such setting apart, and thereafter any person other than the owner thereof who shall kill, capture, or injure any such bird within the limits of such water, island, or land, shall be liable to a penalty not exceeding five pounds: Provided that the Colonial Secretary may by a like notice cancel any such setting apart.

Birds Protection.

13. It shall be lawful for any householder or constable to require any person offending against any of the provisions of this Act to give his name in full and place of abode. And in case such person shall, after being so required, refuse to give his real name or place of abode, or shall give a false or fictitious name, he may be at once arrested and taken before some Justice of the Peace, and shall be liable for every such offence to an additional penalty not exceeding five pounds.

Penalty for refusing to give name, place of abode, &c.

14. All informations or charges for offences against this Act may be heard and determined in a summary way before one Justice of the Peace, in accordance with the provisions of the Act or Acts for the time being in force with reference to summary proceedings before Justices of the Peace, subject to the right of appeal to the next Court of Quarter Sessions holden nearest to the place of conviction, and in all cases the defendant shall be a competent witness.

Prosecution of offences.

15. All penalties recovered under this Act shall be paid—one-half to the person who in the opinion of the convicting Justice of the Peace shall have given such information as led to the conviction, and one-half to the Zoological Society.

Disposal of penalties.

16. This Act shall not apply to any person authorised by the Colonial Secretary to collect specimens of natural history for any scientific institution or museum.

Exceptions.

17. The Colonial Secretary may remove the name of any bird from any of the Schedules hereto for any particular district described in a notice in the *Gazette* or altogether whenever it shall be deemed by him expedient so to do by reason of any great increase in the number of such birds or of their being found to be injurious: And from time to time such notices may be issued or annulled by the Colonial Secretary.

Provision to amend Schedules by notice.

SCHEDULES.

FIRST SCHEDULE.

Birds absolutely protected for five years and after that period during the Close Season.

Common Name.		FOREIGN BIRDS.		Scientific Name.
Skylark	<i>Alauda arvensis.</i>
Chaffinch	<i>Fringilla cœlebs.</i>
Goldfinch	<i>Carduelis elegans.</i>
Linnet	<i>Linaria cannabina.</i>
Starling	<i>Sturnus vulgaris.</i>
Thrush	<i>Turdus musicus.</i>
Blackbird	<i>Turdus merula.</i>
Nightingale	<i>Sylvia luscinæa.</i>
Pheasant	<i>Phasianus colchicus.</i>
Grouse of every species	<i>Tetrao and Lagopus.</i>
Partridges of every species	<i>Perdix.</i>
White Swans	<i>Cygnus.</i>
Californian Quail	<i>Callipepla Californica.</i>
AUSTRALIAN BIRDS.				
Fish Hawks or Sea Eagles	<i>Haliætus Haliastur and Pandion.</i>
Lyre Birds	<i>Menura.</i>
Regent Bird	<i>Sericulus melinus.</i>
Rifle Bird	<i>Ptiloris paradisea.</i>
Bell Bird	<i>Manorhina melanophrys.</i>
Black Cockatoos	<i>Calyptorhynchus.</i>
Native Companion	<i>Grus Australiensis.</i>
Nankin Crane	<i>Nycticorax Caledonicus.</i>
Laughing Jackass	<i>Dacelo gigas.</i>
Kingfishers	<i>Haleyon and alcyone.</i>
Emu	<i>Dromaius Novæ Hollandiæ.</i>
Seagulls of every description.	

SECOND

Birds Protection.

SECOND SCHEDULE.

PART I.

Australian Game Birds protected during the Close Season from 1st August in every year to 31st January then next succeeding inclusive.

Common name.	Scientific name.
Brush Turkey	Talegallus Lathamii.
Mallee Hen	Leipoa ocellata.
Land Curlew	Oedicnemus grallarius.
Bittern	Botaurus poicilopterus.
Land Rail	Hypotaenidia Phillipeusis.
Black Swan	Cygnus atratus.
Bustard or Plains Turkey	Eupodotis Australis.

Wild ducks of every species, including Teal.

Plovers of every species.

Pigeons and doves of every species.

Wild geese of every description.

PART II.

Birds protected during the Close Season from 1st October in every year to 31st March then next succeeding inclusive.

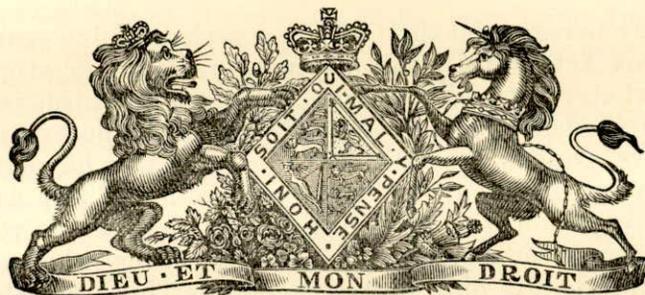
Quail of every species, including Turnix, Pedionomus, Coturnix, Synoicus, and Excalfatoria.

THIRD SCHEDULE.

Australian Birds other than game protected during the Close Season from 1st August in every year to 31st January then next succeeding inclusive.

Common name.	Scientific name.
Dollar Bird	Eurystomus pacificus.
Wood Swallows	Artamus.
Magpies (other than the Black Magpie)	Gymnorhina.
Peewit or Magpie Lark	Grallina Australis.
Thrush	Collyriocincla harmonica.
Wagtails	Sauloprocta and Seisura.
Jackey Winter	Mieræca fascinans.
Robins	Petroæca.
Yellow Robins	Eopsaltria Australis.
Blue Wrens	Malurus cyaneus and Malurus Lamberti.
Emu Wren	Stipiturus malachurus.
Lark	Anthus Australis.
Skylark or Nightingale	Cinchoramphus.
Diamond Sparrow	Estrilda guttata.
Gang Gang Cockatoo	Callocephalon galeatum.
Indian Minah	Acridotheres tristis.
Butcher Bird	Craicticus torquatus.
Coachwhip Bird	Psophodes crepitans.
Honeysucker	Meliornis.
Mocking Bird	Anellobia mellivora.
Swamp Pheasant.	
King Parrots	Aprosmictus and Ptistes.
Ibis	Geronticus and Threskiornis.
The bird commonly known as "The Happy Family," or "The Twelve Apostles."	

New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. XVIII.

An Act to protect certain imported and other Birds.
[Assented to, 1st June, 1893.]

WHEREAS it is expedient to repeal the "Birds Protection Act of 1881:" Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

- 1. This Act shall come into force immediately on the passing thereof, and may be cited as the "Birds Protection Act of 1893."
- 2. The Act forty-fifth Victoria number twenty-nine is hereby repealed.
- 3. The expression "Protected bird" in this Act means any imported or native bird mentioned in or which may be added to the First and Third Schedules hereto. "Game bird"—any bird mentioned in or which may be added to the first or second parts of the Second Schedule hereto. "Scheduled bird"—a bird of any of the kinds or families mentioned in or which shall be added to any Schedule to this Act. And "Close season"—the periods of time prescribed by this Act for the protection of the birds included in the Schedules hereto.

Preamble.
Commencement.
Short title.
Repeal of 45 Vic. No. 29.
Interpretation of terms.

Birds Protection.

Colonial Secretary may add any, bird to Schedules.

4. Any bird not mentioned in the Schedules hereto may, by direction of the Colonial Secretary by a notice published in the *Gazette*, at any time hereafter be added to the appropriate Schedule to this Act; and after the publication of such notice the provisions of this Act shall apply to such bird, and the production of the *Gazette* containing such notice shall be conclusive evidence of such addition.

Close Season.

5. The Close Season for all birds save quail included in the Second and Third Schedules hereto shall be the period of time between every first day of August and the thirty-first day of January then next succeeding, both days inclusive, and the Close Season for quail shall be the period of time between every first day of October and the thirty-first day of March then next succeeding, both days inclusive: Provided that the Colonial Secretary may by notice in the *Gazette* vary the period of the Close Season for any district described in such notice whenever it shall appear to him to be expedient so to do for the better preservation of the scheduled birds or any of them included in such Schedules.

Certain birds protected for five years.

6. Any person who shall within a period of five years from the passing of this Act, wilfully kill, capture, or injure, or attempt or use any means whatever to kill, capture, or injure any birds in the First Schedule hereto shall, for each such offence, be liable to a penalty not exceeding five pounds in addition to any penalty he may incur by reason of any infringement of the seventh section of this Act.

Penalty for killing, &c., protected birds during the close season.

7. Any person who shall during the close season wilfully kill, capture, or injure, or attempt, or use any means whatever to kill, capture, or injure any bird in the Second or Third Schedule hereto, shall for each such offence be liable to a penalty not exceeding five pounds.

Penalty for having dead birds in possession.

8. Any person who shall sell or offer for sale, or shall have in his control or possession during the close season, any scheduled bird recently killed or taken, shall for every such bird be liable to a penalty not exceeding five pounds, unless he shall prove that the bird was killed, taken, bought, or received, either during the period in which such bird could legally be killed, or in or from another Colony.

Punt guns not to be used, &c.

9. No firearms having a greater length of barrel than six feet or with the bore exceeding one inch in diameter shall be used for the purpose of shooting any scheduled bird, and no firearms of any description intended to be used for such purpose shall be affixed to any boat, punt, or floating vessel of any kind during any period of the year, or be loaded with a charge exceeding four drachms of gunpowder or two ounces of shot, and any person offending against the provisions of this section shall be liable to a penalty not exceeding ten pounds.

Penalty on taking or destroying eggs.

10. If any person shall take out of the nest or destroy in the nest the eggs of any scheduled bird, he shall be liable to a penalty not exceeding the sum of ten shillings for each egg so taken or destroyed.

Act not to extend to birds domesticated.

11. Nothing in this Act shall apply to the taking or killing of any bird in a domesticated state or ordinarily in confinement by the owner thereof, or to the taking or destroying of the eggs of any such bird by him, or to any eggs, or any such bird taken or killed within any mew or breeding place by the owner thereof: Provided that the bird so killed or taken shall not have been originally caught or taken during the close season.

Birds may be protected in preserves.

12. Whenever any sheet of water, island, or enclosed land has been or shall be set apart by the Government or any private person for preserving any scheduled birds, the Colonial Secretary may declare by notice in the *Gazette* such setting apart, and thereafter any person other than the owner thereof who shall kill, capture, or injure any such bird within the limits of such water, island, or land, shall be liable to a penalty not exceeding five pounds: Provided that the Colonial Secretary may by a like notice cancel any such setting apart.

Birds Protection.

13. It shall be lawful for any householder or constable to require any person offending against any of the provisions of this Act to give his name in full and place of abode. And in case such person shall, after being so required, refuse to give his real name or place of abode, or shall give a false or fictitious name, he may be at once arrested and taken before some Justice of the Peace, and shall be liable for every such offence to an additional penalty not exceeding five pounds.

Penalty for refusing to give name, place of abode, &c.

14. All informations or charges for offences against this Act may be heard and determined in a summary way before one Justice of the Peace, in accordance with the provisions of the Act or Acts for the time being in force with reference to summary proceedings before Justices of the Peace, subject to the right of appeal to the next Court of Quarter Sessions holden nearest to the place of conviction, and in all cases the defendant shall be a competent witness.

Prosecution of offences.

15. All penalties recovered under this Act shall be paid—one-half to the person who in the opinion of the convicting Justice of the Peace shall have given such information as led to the conviction, and one-half to the Zoological Society.

Disposal of penalties.

16. This Act shall not apply to any person authorised by the Colonial Secretary to collect specimens of natural history for any scientific institution or museum.

Exceptions.

17. The Colonial Secretary may remove the name of any bird from any of the Schedules hereto for any particular district described in a notice in the *Gazette* or altogether whenever it shall be deemed by him expedient so to do by reason of any great increase in the number of such birds or of their being found to be injurious: And from time to time such notices may be issued or annulled by the Colonial Secretary.

Provision to amend Schedules by notice.

SCHEDULES.

FIRST SCHEDULE.

Birds absolutely protected for five years and after that period during the Close Season.

Common Name.		FOREIGN BIRDS.		Scientific Name.
Skylark	<i>Alauda arvensis.</i>
Chaffinch	<i>Fringilla cœlebs.</i>
Goldfinch	<i>Carduelis elegans.</i>
Linnet	<i>Linaria cannabina.</i>
Starling	<i>Sturnus vulgaris.</i>
Thrush	<i>Turdus musicus.</i>
Blackbird	<i>Turdus merula.</i>
Nightingale	<i>Sylvia luscinæa.</i>
Pheasant	<i>Phasianus colchicus.</i>
Grouse of every species	<i>Tetrao and Lagopus.</i>
Partridges of every species	<i>Perdix.</i>
White Swans	<i>Cygnus.</i>
Californian Quail	<i>Callipepla Californica.</i>
AUSTRALIAN BIRDS.				
Fish Hawks or Sea Eagles	<i>Haliæetus Haliastur and Pandion.</i>
Lyre Birds	<i>Menura.</i>
Regent Bird	<i>Sericulus melinus.</i>
Rifle Bird	<i>Ptiloris paradisæa.</i>
Bell Bird	<i>Manorhina melanophrys.</i>
Black Cockatoos	<i>Calyptorhynchus.</i>
Native Companion	<i>Grus Australiensis.</i>
Nankin Crane	<i>Nycticorax Caledonicus.</i>
Laughing Jackass	<i>Dacelo gigas.</i>
Kingfishers	<i>Halcyon and alcyone.</i>
Emu	<i>Dromaius Novæ Hollandiæ.</i>
Seagulls of every description.	

SECOND

Birds Protection.

SECOND SCHEDULE.

PART I.

Australian Game Birds protected during the Close Season from 1st August in every year to 31st January then next succeeding inclusive.

Common name.	Scientific name.
Brush Turkey	Talegallus Lathamii.
Mallee Hen	Leipoa ocellata.
Land Curlew	Oedinenus gallarius.
Bittern	Botaurus poicilopterus.
Land Rail	Hypotaenidia Phyllipeusis.
Black Swan	Cygnus atratus.
Bustard or Plains Turkey	Eupodotis Australis.

Wild ducks of every species, including Teal.

Plovers of every species.

Pigeons and doves of every species.

Wild geese of every description.

PART II.

Birds protected during the Close Season from 1st October in every year to 31st March then next succeeding inclusive.

Quail of every species, including Turnix, Pedionomus, Coturnix, Synoicus, and Excalfatoria.

THIRD SCHEDULE.

Australian Birds other than game protected during the Close Season from 1st August in every year to 31st January then next succeeding inclusive.

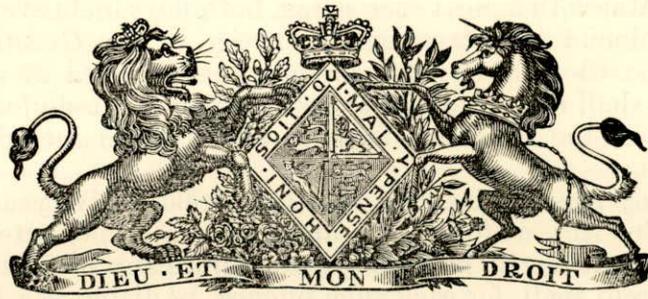
Common name.	Scientific name.
Dollar Bird	Eurystomus pacificus.
Wood Swallows	Artamus.
Magpies (other than the Black Magpie)	Gymnorhina.
Peewit or Magpie Lark	Grallina Australis.
Thrush	Collyriocincla harmonica.
Wagtails... ..	Sauloprocta and Seisura.
Jackey Winter	Micræca fascians.
Robins	Petroeca.
Yellow Robins	Eopsaltria Australis.
Blue Wrens	Malurus cyaneus and Malurus Lamberti.
Emu Wren	Stipiturus malachurus.
Lark	Anthus Australis.
Skylark or Nightingale	Cinchloramphus.
Diamond Sparrow	Estrilda guttata.
Gang Gang Cockatoo	Callocephalon galeatum.
Indian Minah	Aeridotheres tristis.
Butcher Bird	Craeticus torquatus.
Coachwhip Bird... ..	Psophodes crepitans.
Honeysucker	Meliornis.
Mocking Bird	Anellobia mellivora.
Swamp Pheasant.	
King Parrots	Aprosmictus and Ptistes.
Ibis	Geronticus and Threskiornis.
The bird commonly known as "The Happy Family," or "The Twelve Apostles."	

I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Legislative Assembly Chamber,
Sydney, 25 May, 1893.* }

F. W. WEBB,
Clerk of the Legislative Assembly.

New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. XVIII.

An Act to protect certain imported and other Birds.
[Assented to, 1st June, 1893.]

WHEREAS it is expedient to repeal the "Birds Protection Act of 1881:" Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act shall come into force immediately on the passing thereof, and may be cited as the "Birds Protection Act of 1893."

2. The Act forty-fifth Victoria number twenty-nine is hereby repealed.

3. The expression "Protected bird" in this Act means any imported or native bird mentioned in or which may be added to the First and Third Schedules hereto. "Game bird"—any bird mentioned in or which may be added to the first or second parts of the Second Schedule hereto. "Scheduled bird"—a bird of any of the kinds or families mentioned in or which shall be added to any Schedule to this Act. And "Close season"—the periods of time prescribed by this Act for the protection of the birds included in the Schedules hereto.

4.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

NINIAN MELVILLE,
Chairman of Committees of the Legislative Assembly.

Birds Protection.

Colonial Secretary
may add any bird to
Schedules.

4. Any bird not mentioned in the Schedules hereto may, by direction of the Colonial Secretary by a notice published in the *Gazette*, at any time hereafter be added to the appropriate Schedule to this Act; and after the publication of such notice the provisions of this Act shall apply to such bird, and the production of the *Gazette* containing such notice shall be conclusive evidence of such addition.

Close Season.

5. The Close Season for all birds save quail included in the Second and Third Schedules hereto shall be the period of time between every first day of August and the thirty-first day of January then next succeeding, both days inclusive, and the Close Season for quail shall be the period of time between every first day of October and the thirty-first day of March then next succeeding, both days inclusive: Provided that the Colonial Secretary may by notice in the *Gazette* vary the period of the Close Season for any district described in such notice whenever it shall appear to him to be expedient so to do for the better preservation of the scheduled birds or any of them included in such Schedules.

Certain birds pro-
tected for five years.

6. Any person who shall within a period of five years from the passing of this Act, wilfully kill, capture, or injure, or attempt or use any means whatever to kill, capture, or injure any birds in the First Schedule hereto shall, for each such offence, be liable to a penalty not exceeding five pounds in addition to any penalty he may incur by reason of any infringement of the seventh section of this Act.

Penalty for killing,
&c., protected birds
during the close
season.

7. Any person who shall during the close season wilfully kill, capture, or injure, or attempt, or use any means whatever to kill, capture, or injure any bird in the Second or Third Schedule hereto, shall for each such offence be liable to a penalty not exceeding five pounds.

Penalty for having
dead birds in
possession.

8. Any person who shall sell or offer for sale, or shall have in his control or possession during the close season, any scheduled bird recently killed or taken, shall for every such bird be liable to a penalty not exceeding five pounds, unless he shall prove that the bird was killed, taken, bought, or received, either during the period in which such bird could legally be killed, or in or from another Colony.

Punt guns not to be
used, &c.

9. No firearms having a greater length of barrel than six feet or with the bore exceeding one inch in diameter shall be used for the purpose of shooting any scheduled bird, and no firearms of any description intended to be used for such purpose shall be affixed to any boat, punt, or floating vessel of any kind during any period of the year, or be loaded with a charge exceeding four drachms of gunpowder or two ounces of shot, and any person offending against the provisions of this section shall be liable to a penalty not exceeding ten pounds.

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13. It shall be lawful for any householder or constable to require any person offending against any of the provisions of this Act to give his name in full and place of abode. And in case such person shall, after being so required, refuse to give his real name or place of abode, or shall give a false or fictitious name, he may be at once arrested and taken before some Justice of the Peace, and shall be liable for every such offence to an additional penalty not exceeding *five* pounds. Penalty for refusing to give name, place of abode, &c.

14. All informations or charges for offences against this Act may be heard and determined in a summary way before one Justice of the Peace, in accordance with the provisions of the Act or Acts for the time being in force with reference to summary proceedings before Justices of the Peace, subject to the right of appeal to the next Court of Quarter Sessions holden nearest to the place of conviction, and in all cases the defendant shall be a competent witness. Prosecution of offences.

15. All penalties recovered under this Act shall be paid—one-half to the person who in the opinion of the convicting Justice of the Peace shall have given such information as led to the conviction, and one-half to the Zoological Society. Disposal of penalties.

16. This Act shall not apply to any person authorised by the Colonial Secretary to collect specimens of natural history for any scientific institution or museum. Exceptions.

17. The Colonial Secretary may remove the name of any bird from any of the Schedules hereto for any particular district described in a notice in the *Gazette* or altogether whenever it shall be deemed by him expedient so to do by reason of any great increase in the number of such birds or of their being found to be injurious: And from time to time such notices may be issued or annulled by the Colonial Secretary. Provision to amend Schedules by notice.

SCHEDULES.

FIRST SCHEDULE.

Birds absolutely protected for five years and after that period during the Close Season.

Common Name.		FOREIGN BIRDS.		Scientific Name.
Skylark	<i>Alauda arvensis.</i>
Chaffinch	<i>Fringilla cœlebs.</i>
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Thrush	<i>Turdus musicus.</i>
Blackbird	<i>Turdus merula.</i>
Nightingale	<i>Sylvia luscinæa.</i>
Pheasant	<i>Phasianus colchicus.</i>
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Fish Hawks or Sea Eagles	<i>Haliætus Haliastur and Pandion.</i>
Lyre Birds	<i>Menura.</i>
Regent Bird	<i>Sericulus melinus.</i>
Rifle Bird	<i>Ptiloris paradisea.</i>
Bell Bird	<i>Manorhina melanophrys.</i>
Black Cockatoos	<i>Calyptorhynchus.</i>
Native Companion	<i>Grus Australiensis.</i>
Nankin Crane	<i>Nycticorax Caledonicus.</i>
Laughing Jackass	<i>Dacelo gigas.</i>
Kingfishers	<i>Halecyon and aleyone.</i>
Emu	<i>Dromaius Novæ Hollandiæ.</i>
Seagulls of every description.	

SECOND

Birds Protection.

SECOND SCHEDULE.

PART I.

Australian Game Birds protected during the Close Season from 1st August in every year to 31st January then next succeeding inclusive.

Common name.	Scientific name.
Brush Turkey	Talegallus Lathamii.
Mallee Hen	Leipoa ocellata.
Land Curlew	Oedienemus grallarius.
Bittern	Botaurus poicilopterus.
Land Rail	Hypotaenidia Phillipensis.
Black Swan	Cygnus atratus.
Bustard or Plains Turkey	Eupodotis Australis.
Wild ducks of every species, including Teal.	
Plovers of every species.	
Pigeons and doves of every species.	
Wild geese of every description.	

PART II.

Birds protected during the Close Season from 1st October in every year to 31st March then next succeeding inclusive.

Quail of every species, including Turnix, Pedionomus, Coturnix, Synoicus, and Excalfatoria.

THIRD SCHEDULE.

Australian Birds other than game protected during the Close Season from 1st August in every year to 31st January then next succeeding inclusive.

Common name.	Scientific name.
Dollar Bird	Eurystomus pacificus.
Wood Swallows	Artamus.
Magpies (other than the Black Magpie)	Gymnorhina.
Peewit or Magpie Lark	Grallina Australis.
Thrush	Collyriocincla harmonica.
Wagtails	Sauloprocta and Seisura.
Jackey Winter	Micræca fascians.
Robins	Petroeca.
Yellow Robins	Eopsaltria Australis.
Blue Wrens	Malurus cyaneus and Malurus Lamberti.
Emu Wren	Stipiturus malachurus.
Lark	Anthus Australis.
Skylark or Nightingale	Cinchoramphus.
Diamond Sparrow	Estrilda guttata.
Gang Gang Cockatoo	Callocephalon galeatum.
Indian Minah	Acridotheres tristis.
Butcher Bird	Cracticus torquatus.
Coachwhip Bird	Psophodes crepitans.
Honeysucker	Meliornis.
Mocking Bird	Anellobia mellivora.
Swamp Pheasant.	
King Parrots	Aprosictus and Ptistes.
Ibis	Geronticus and Threskiornis.
The bird commonly known as "The Happy Family," or "The Twelve Apostles."	

In the name and on the behalf of Her Majesty I assent to this Act.

R. W. DUFF.

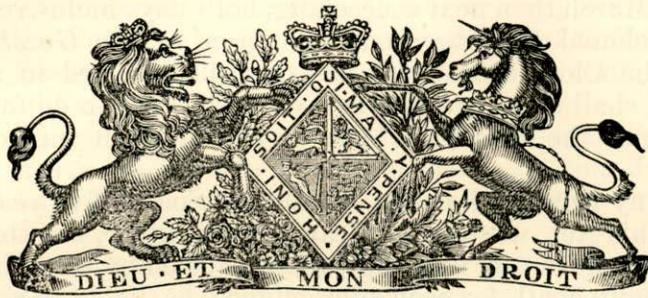
*Government House,
Sydney, 1st June, 1893.*

I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Legislative Assembly Chamber,
Sydney, 25 May, 1893. }*

*F. W. WEBB,
Clerk of the Legislative Assembly.*

New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. XVIII.

An Act to protect certain imported and other Birds.
[Assented to, 1st June, 1893.]

WHEREAS it is expedient to repeal the "Birds Protection Act of 1881:" Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act shall come into force immediately on the passing thereof, and may be cited as the "Birds Protection Act of 1893."

2. The Act forty-fifth Victoria number twenty-nine is hereby repealed.

3. The expression "Protected bird" in this Act means any imported or native bird mentioned in or which may be added to the First and Third Schedules hereto. "Game bird"—any bird mentioned in or which may be added to the first or second parts of the Second Schedule hereto. "Scheduled bird"—a bird of any of the kinds or families mentioned in or which shall be added to any Schedule to this Act. And "Close season"—the periods of time prescribed by this Act for the protection of the birds included in the Schedules hereto.

4.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

NINIAN MELVILLE,
Chairman of Committees of the Legislative Assembly.

Birds Protection.

Colonial Secretary
may add any bird to
Schedules.

4. Any bird not mentioned in the Schedules hereto may, by direction of the Colonial Secretary by a notice published in the *Gazette*, at any time hereafter be added to the appropriate Schedule to this Act; and after the publication of such notice the provisions of this Act shall apply to such bird, and the production of the *Gazette* containing such notice shall be conclusive evidence of such addition.

Close Season.

5. The Close Season for all birds save quail included in the Second and Third Schedules hereto shall be the period of time between every first day of August and the thirty-first day of January then next succeeding, both days inclusive, and the Close Season for quail shall be the period of time between every first day of October and the thirty-first day of March then next succeeding, both days inclusive: Provided that the Colonial Secretary may by notice in the *Gazette* vary the period of the Close Season for any district described in such notice whenever it shall appear to him to be expedient so to do for the better preservation of the scheduled birds or any of them included in such Schedules.

Certain birds pro-
tected for five years.

6. Any person who shall within a period of five years from the passing of this Act, wilfully kill, capture, or injure, or attempt or use any means whatever to kill, capture, or injure any birds in the First Schedule hereto shall, for each such offence, be liable to a penalty not exceeding five pounds in addition to any penalty he may incur by reason of any infringement of the seventh section of this Act.

Penalty for killing,
&c., protected birds
during the close
season.

7. Any person who shall during the close season wilfully kill, capture, or injure, or attempt, or use any means whatever to kill, capture, or injure any bird in the Second or Third Schedule hereto, shall for each such offence be liable to a penalty not exceeding five pounds.

Penalty for having
dead birds in
possession.

8. Any person who shall sell or offer for sale, or shall have in his control or possession during the close season, any scheduled bird recently killed or taken, shall for every such bird be liable to a penalty not exceeding five pounds, unless he shall prove that the bird was killed, taken, bought, or received, either during the period in which such bird could legally be killed, or in or from another Colony.

Punt guns not to be
used, &c.

9. No firearms having a greater length of barrel than six feet or with the bore exceeding one inch in diameter shall be used for the purpose of shooting any scheduled bird, and no firearms of any description intended to be used for such purpose shall be affixed to any boat, punt, or floating vessel of any kind during any period of the year, or be loaded with a charge exceeding four drachms of gunpowder or two ounces of shot, and any person offending against the provisions of this section shall be liable to a penalty not exceeding ten pounds.

Penalty on taking or
destroying eggs.

10. If any person shall take out of the nest or destroy in the nest the eggs of any scheduled bird, he shall be liable to a penalty not exceeding the sum of ten shillings for each egg so taken or destroyed.

Act not to extend
to birds domesticated.

11. Nothing in this Act shall apply to the taking or killing of any bird in a domesticated state or ordinarily in confinement by the owner thereof, or to the taking or destroying of the eggs of any such bird by him, or to any eggs, or any such bird taken or killed within any mew or breeding place by the owner thereof: Provided that the bird so killed or taken shall not have been originally caught or taken during the close season.

Birds may be
protected in
preserves.

12. Whenever any sheet of water, island, or enclosed land has been or shall be set apart by the Government or any private person for preserving any scheduled birds, the Colonial Secretary may declare by notice in the *Gazette* such setting apart, and thereafter any person other than the owner thereof who shall kill, capture, or injure any such bird within the limits of such water, island, or land, shall be liable to a penalty not exceeding five pounds: Provided that the Colonial Secretary may by a like notice cancel any such setting apart.

Birds Protection.

13. It shall be lawful for any householder or constable to require any person offending against any of the provisions of this Act to give his name in full and place of abode. And in case such person shall, after being so required, refuse to give his real name or place of abode, or shall give a false or fictitious name, he may be at once arrested and taken before some Justice of the Peace, and shall be liable for every such offence to an additional penalty not exceeding *five* pounds.

Penalty for refusing to give name, place of abode, &c.

14. All informations or charges for offences against this Act may be heard and determined in a summary way before one Justice of the Peace, in accordance with the provisions of the Act or Acts for the time being in force with reference to summary proceedings before Justices of the Peace, subject to the right of appeal to the next Court of Quarter Sessions holden nearest to the place of conviction, and in all cases the defendant shall be a competent witness.

Prosecution of offences.

15. All penalties recovered under this Act shall be paid—one-half to the person who in the opinion of the convicting Justice of the Peace shall have given such information as led to the conviction, and one-half to the Zoological Society.

Disposal of penalties.

16. This Act shall not apply to any person authorised by the Colonial Secretary to collect specimens of natural history for any scientific institution or museum.

Exceptions.

17. The Colonial Secretary may remove the name of any bird from any of the Schedules hereto for any particular district described in a notice in the *Gazette* or altogether whenever it shall be deemed by him expedient so to do by reason of any great increase in the number of such birds or of their being found to be injurious: And from time to time such notices may be issued or annulled by the Colonial Secretary.

Provision to amend Schedules by notice.

SCHEDULES.

FIRST SCHEDULE.

Birds absolutely protected for five years and after that period during the Close Season.

Common Name.		FOREIGN BIRDS.		Scientific Name.
Skylark	<i>Alauda arvensis.</i>
Chaffinch	<i>Fringilla cœlebs.</i>
Goldfinch	<i>Carduelis elegans.</i>
Linnet	<i>Linaria cannabina.</i>
Starling	<i>Sturnus vulgaris.</i>
Thrush	<i>Turdus musicus.</i>
Blackbird	<i>Turdus merula.</i>
Nightingale	<i>Sylvia luscinæa.</i>
Pheasant	<i>Phasianus colchicus.</i>
Grouse of every species	<i>Tetrao and Lagopus.</i>
Partridges of every species	<i>Perdix.</i>
White Swans	<i>Cygnus.</i>
Californian Quail	<i>Callipepla Californica.</i>

AUSTRALIAN BIRDS.

Fish Hawks or Sea Eagles	...	...	...	<i>Haliæetus Haliastur and Pandion.</i>
Lyre Birds	...	...	...	<i>Menura.</i>
Regent Bird	...	...	...	<i>Sericulus melinus.</i>
Rifle Bird	...	...	...	<i>Ptiloris paradisea.</i>
Bell Bird	...	...	...	<i>Manorhina melanophrys.</i>
Black Cockatoos	...	...	...	<i>Calyptorhynchus.</i>
Native Companion	...	...	...	<i>Grus Australiensis.</i>
Nankin Crane	...	...	...	<i>Nycticorax Caledonicus.</i>
Laughing Jackass	...	...	...	<i>Dacelo gigas.</i>
Kingfishers	...	...	...	<i>Halcyon and alcyone.</i>
Emu	...	...	...	<i>Dromaius Novæ Hollandiæ.</i>
Seagulls of every description.	...	...	...

SECOND

Birds Protection.

SECOND SCHEDULE.

PART I.

Australian Game Birds protected during the Close Season from 1st August in every year to 31st January then next succeeding inclusive.

Common name.	Scientific name.
Brush Turkey	Talegallus Lathamii.
Mallee Hen	Leipoa ocellata.
Land Curlew	Oedienemus grallarius.
Bittern	Botaurus poicilopterus.
Land Rail	Hypotaenidia Phillipeusis.
Black Swan	Cygnus atratus.
Bustard or Plains Turkey	Eupodotis Australis.

Wild ducks of every species, including Teal.

Plovers of every species.

Pigeons and doves of every species.

Wild geese of every description.

PART II.

Birds protected during the Close Season from 1st October in every year to 31st March then next succeeding inclusive.

Quail of every species, including Turnix, Pedionomus, Coturnix, Synoicus, and Excalfatoria.

THIRD SCHEDULE.

Australian Birds other than game protected during the Close Season from 1st August in every year to 31st January then next succeeding inclusive.

Common name.	Scientific name.
Dollar Bird	Eurystomus pacificus.
Wood Swallows	Artamus.
Magpies (other than the Black Magpie)	Gymnorhina.
Peewit or Magpie Lark	Grallina Australis.
Thrush	Collyriocincla harmonica.
Wagtails	Sauloprocta and Seisura.
Jackey Winter	Micræca fascians.
Robins	Petroeca.
Yellow Robins	Eopsaltria Australis.
Blue Wrens	Malurus cyaneus and Malurus Lamberti.
Emu Wren	Stipiturus malachurus.
Lark	Anthus Australis.
Skylark or Nightingale	Cinchoramphus.
Diamond Sparrow	Estrilda guttata.
Gang Gang Cockatoo	Callocephalon galeatum.
Indian Minah	Acridotheres tristis.
Butcher Bird	Cracticus torquatus.
Coachwhip Bird	Psophodes crepitans.
Honeysucker	Meliornis.
Mocking Bird	Anellobia mellivora.
Swamp Pheasant.	
King Parrots	Aprosmietus and Ptistes.
Ibis	Geronticus and Threskiornis.
The bird commonly known as "The Happy Family," or "The Twelve Apostles."	

In the name and on the behalf of Her Majesty I assent to this Act.

R. W. DUFF.

Government House,
Sydney, 1st June, 1893.

BIRDS PROTECTION BILL.

SCHEDULE showing the Legislative Assembly's Amendments upon the Legislative Council's Amendments, referred to in Message of 23 May, 1893.

F. W. WEBB,
Clerk of the Legislative Assembly.

- Page 4, First Schedule, line 50. *Omit* "King Parrots Aprosmictus and
"Ptistes"
- Page 4, First Schedule, line 54. *Omit* "Ibis Geronticus and
"Threskiornis"
- Page 4, First Schedule. *Add* at end of Schedule "Laughing Jackass ... Dacelo
"gigas"
- Page 4, First Schedule. *Add* at end of Schedule "Kingfishers ... Halcyon and
"Alcyone"
- Page 4, First Schedule. *Add* at end of Schedule "Seagulls of every description"
- Page 4, First Schedule. *Add* at end of Schedule "Emu... .. Dromaius Novæ
"Hollandiæ"
- Page 5, Second Schedule. *Add* at end of Part I "Wild Geese of every description"
- Page 5, Third Schedule, line 26. *Omit* "Laughing Jackass... .. Dacelo gigas"
- Page 5, Third Schedule, line 27. *Omit* "Kingfishers ... Halcyon and Alcyone"
- Page 5, Third Schedule, line 30. *Omit* "and the Grey Magpie"
- Page 5, Third Schedule, line 43. *Omit* "Gill or Wattle Bird ... Acanthochæra
"carunculata"
- Page 5, Third Schedule, line 45. *Omit* "Emu ... Dromaius Novæ Hollandiæ"
- Page 5, Third Schedule, line 51. *Omit* "Seagulls of every species"
- Page 5, Third Schedule. *Add* at end of Schedule "King Parrots ... Aprosmictus
"and Ptistes"
- Page 5, Third Schedule. *Add* at end of Schedule "Ibis Geronticus and
"Threskiornis"
- Page 5, Third Schedule. *Add* at end of Schedule "The bird commonly known as
" 'The Happy Family,' or 'The Twelve Apostles' "

BIRDS PROTECTION BILL.

SCHEDULE showing the Legislative Assembly's Amendments upon the Legislative Council's Amendments, referred to in Message of 23 May, 1893.

F. W. WEBB,
Clerk of the Legislative Assembly.

- Page 4, First Schedule, line 50. *Omit* "King Parrots Aprosmictus and
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"and Ptistes"
- Page 5, Third Schedule. *Add* at end of Schedule "Ibis Geronticus and
"Threskiornis"
- Page 5, Third Schedule. *Add* at end of Schedule "The bird commonly known as
" 'The Happy Family,' or 'The Twelve Apostles' "

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 15 February, 1893.* }

F. W. WEBB,
Clerk of the Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

*Legislative Council Chamber,
Sydney, 2nd May, 1893.* }

ADOLPHUS P. CLAPIN,
Acting Clerk of the Parliaments.

BIRDS PROTECTION ACT AMENDING BILL.

SCHEDULE of the Amendments referred to in Message of 2nd May, 1893.

- Page 1, Title. *Omit* "amend and extend the 'Birds Protection Act of 1881'" *insert*
"protect certain imported and other birds"
- Page 1, preamble, line 1. *Omit* "amend and extend" *insert* "repeal"
- Page 1, clause 1, line 8. *Omit* "Amending Act"
- Page 1. *After* clause 1 *insert* new clauses **2, 3, 4**
- Page 2, clause ~~2~~ **5**, line 10. *Omit* "scheduled"
- Page 2, clause ~~2~~ **5**, line 10. *After* "quail" *insert* "included in the Second and Third
"Schedules hereto"
- Page 2, clause ~~2~~ **5**. At end of clause *add* "included in such Schedules"
- Page 2, clause ~~3~~ **6**, line 26. *Omit* "sixth" *insert* "seventh"
- Page 2, clause ~~3~~ **6**, lines 26 and 27. *Omit* "the Birds Protection Act of 1881" *insert*
"this Act"
- Page 2. *After* clause ~~3~~ **6**, *insert* new clauses **7, 8, 9, 10, 11, 12, 13, 14, 15, 16.**
- Page 3, clause ~~4~~ **17**, lines 26 to 28. *Omit* "The Schedules of the 'Birds Protection Act of
'1881' are hereby repealed, and the Schedules hereto shall be the Schedules
"applicable to the said Act, and to this Act Amending the same: Provided
"that"
- Page 3, clause ~~4~~ **17**, lines 29 and 30. *Omit* "the First Schedule" *insert* "any of the
"Schedules hereto"
- Page 3, clause ~~4~~ **17**, line 31. *After* "Gazette" *insert* "or altogether"
- Page 3, clause ~~4~~ **17**, line 33. *After* "birds" *insert* "or of their being found to be
"injurious"
- Page 3, clause ~~4~~ **17**, line 34. *After* "Secretary" *omit* remainder of clause
- Page 3, clause 5. *Omit* clause 5
- Page 4, Schedules. *Omit* First and Second Schedules *insert* new Schedules **1, 2, 3**

c 113—

thereof, and may be cited as the "Birds Protection Act Amending Act of 1893." Short title.

10 **2.** The Act forty-five Victoria number twenty-nine is hereby repealed. Repeal of 45 Vic. No. 29.

3. The expression "Protected bird" in this Act means any imported or native bird mentioned in or which may be added to the First and Third Schedules hereto. "Game bird"—any bird mentioned in or which may be added to the first or second parts of the Second Schedule hereto. "Scheduled bird"—a bird of any of the kinds or families

15 256—A

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber,
Sydney, 15 February, 1893. }

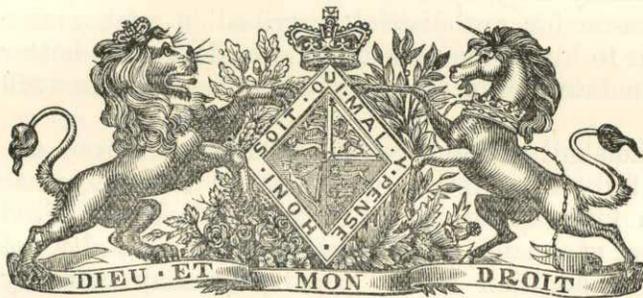
F. W. WEBB,
Clerk of the Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

Legislative Council Chamber,
Sydney, 2nd May, 1893. }

ADOLPHUS P. CLAPIN,
Acting Clerk of the Parliaments.

New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. .

An Act to amend and extend the "~~Birds Protection Act of 1881~~"
protect certain imported and other Birds.

WHEREAS it is expedient to amend and extend ~~repeal~~ the "~~Birds Protection Act of 1881~~:" Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act shall come into force immediately on the passing thereof, and may be cited as the "~~Birds Protection Act Amending Act of 1893~~." Commencement.
Short title.
2. The Act forty-five Victoria number twenty-nine is hereby repealed. Repeal of 45 Vic.
No. 29.
3. The expression "Protected bird" in this Act means any imported or native bird mentioned in or which may be added to the First and Third Schedules hereto. "Game bird"—any bird mentioned in or which may be added to the first or second parts of the Second Schedule hereto. "Scheduled bird"—a bird of any of the kinds or families Interpretation of
terms.

256—A

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Birds Protection Act Amending-

families mentioned in or which shall be added to any Schedule to this Act. And "Close season"—the periods of time prescribed by this Act for the protection of the birds included in the Schedules hereto.

4. Any bird not mentioned in the Schedules hereto may, by direction of the Colonial Secretary by a notice published in the *Gazette*, at any time hereafter be added to the appropriate Schedule to this Act; and after the publication of such notice the provisions of this Act shall apply to such bird, and the production of the *Gazette* containing such notice shall be conclusive evidence of such addition. Colonial Secretary may add any bird to Schedules.
5. The Close Season for all Scheduled birds save quail included in the Second and Third Schedules hereto shall be the period of time between every first day of August and the thirty-first day of January then next succeeding, both days inclusive, and the Close Season for quail shall be the period of time between every first day of October and the thirty-first day of March then next succeeding, both days inclusive: Provided that the Colonial Secretary may by notice in the *Gazette* vary the period of the Close Season for any district described in such notice whenever it shall appear to him to be expedient so to do for the better preservation of the scheduled birds or any of them included in such Schedules. Close Season.
6. Any person who shall within a period of five years from the passing of this Act, wilfully kill, capture, or injure, or attempt or use any means whatever to kill, capture, or injure any birds in the First Schedule hereto shall, for each such offence, be liable to a penalty not exceeding five pounds in addition to any penalty he may incur by reason of any infringement of the sixth seventh section of the "*Birds Protection Act of 1881*." this Act. Certain birds protected for five years.
7. Any person who shall during the close season wilfully kill, capture, or injure, or attempt, or use any means whatever to kill, capture, or injure any bird in the Second or Third Schedule hereto, shall for each such offence be liable to a penalty not exceeding five pounds. Penalty for killing, &c., protected birds during the close season.
8. Any person who shall sell or offer for sale, or shall have in his control or possession during the close season, any scheduled bird recently killed or taken, shall for every such bird be liable to a penalty not exceeding five pounds, unless he shall prove that the bird was killed, taken, bought, or received, either during the period in which such bird could legally be killed, or in or from another Colony. Penalty for having dead birds in possession.
9. No firearms having a greater length of barrel than six feet or with the bore exceeding one inch in diameter shall be used for the purpose of shooting any scheduled bird, and no firearms of any description intended to be used for such purpose shall be affixed to any boat, punt, or floating vessel of any kind during any period of the year, or be loaded with a charge exceeding four drachms of gunpowder or two ounces of shot, and any person offending against the provisions of this section shall be liable to a penalty not exceeding ten pounds. Punt guns not to be used, &c.
10. If any person shall take out of the nest or destroy in the nest the eggs of any scheduled bird, he shall be liable to a penalty not exceeding the sum of ten shillings for each egg so taken or destroyed. Penalty on taking or destroying eggs.
11. Nothing in this Act shall apply to the taking or killing of any bird in a domesticated state or ordinarily in confinement by the owner thereof, or to the taking or destroying of the eggs of any such bird by him, or to any eggs, or any such bird taken or killed within any mew or breeding place by the owner thereof: Provided that the bird so killed or taken shall not have been originally caught or taken during the close season. Act not to extend to birds domesticated.
12. Whenever any sheet of water, island, or enclosed land has been or shall be set apart by the Government or any private person for preserving any scheduled birds, the Colonial Secretary may declare by notice in the *Gazette* such setting apart, and thereafter any person other than
than

Birds Protection Act Amending.

than the owner thereof who shall kill, capture, or injure any such bird within the limits of such water, island, or land shall be liable to a penalty not exceeding five pounds: Provided that the Colonial Secretary may by a like notice cancel any such setting apart.

5 13. It shall be lawful for any householder or constable to require any person offending against any of the provisions of this Act to give his name in full and place of abode. And in case such person shall, after being so required, refuse to give his real name or place of abode, or shall give a false or fictitious name, he may be at once arrested and
10 taken before some Justice of the Peace, and shall be liable for every such offence to an additional penalty not exceeding five pounds.

Penalty for refusing to give name, place of abode, &c.

14. All informations or charges for offences against this Act may be heard and determined in a summary way before one Justice of the Peace, in accordance with the provisions of the Act or Acts for the
15 time being in force with reference to summary proceedings before Justices of the Peace, subject to the right of appeal to the next Court of Quarter Sessions holden nearest to the place of conviction, and in all cases the defendant shall be a competent witness.

Prosecution of offences.

15. All penalties recovered under this Act shall be paid—
20 half to the person who in the opinion of the convicting Justice of the Peace shall have given such information as led to the conviction, and one-half to the Zoological Society.

Disposal of penalties.

16. This Act shall not apply to any person authorised by the Colonial Secretary to collect specimens of natural history for any
25 scientific institution or museum.

Exceptions.

4. 17. ~~The Schedules of the "Birds Protection Act of 1881" are hereby repealed and the Schedules hereto shall be the Schedules applicable to the said Act and to this Act amending the same:—~~ Provided that The Colonial Secretary may remove the name of any bird from the
30 ~~First~~ **any of the Schedules hereto** for any particular district described in a notice in the *Gazette* or altogether whenever it shall be deemed by him expedient so to do by reason of any great increase in the number of such birds or of their being found to be injurious: And from time to time such notices may be issued or annulled by the Colonial Secretary.
35 but in every case of removing any name by such notice the name of such bird shall be added to the list of birds in the first part of the ~~Second Schedule.~~

Schedules.

Provision to amend Schedules by notice.

5. This Act shall be read and construed with the "Birds Protection Act of 1881" as if incorporated therein.

Construction.

Birds Protection Act Amending.

SCHEDULES.

FIRST SCHEDULE.

Birds absolutely protected for five years, and after that period during the Close Seasons.

5	Pheasant. Partridge. Grouse. Californian Quail. White Swan.	Regent Bird. Rifle Bird. Great Kingfisher, commonly known as the Laughing Jackass. Indian Minah.
10	Emu. Kingfishers of every variety. Lyre Bird.	Brolga or Native Companion. Weetah or Bower Bird.

SECOND SCHEDULE.

FIRST PART.

Birds protected during the Close Season from 1st August to 31st January inclusive in each year.

15	Wild Duck of any species. Teal. Wild Turkey or Bustard.	Land Curlew. Tallgulla or Brush Turkey. Plover (spurwing and plain or flock). Pigeons and Dove.
20	Mallee Hen. Land Rail.	Black Swan.

SECOND PART.

Birds protected during Close Season from 1st October to 31st March inclusive in each year.

Quail of every variety.

FIRST SCHEDULE.

Birds absolutely protected for five years and after that period during the Close Season.

Foreign Birds.

	Common Name.	Scientific Name.
30	Skylark	Alauda arvensis.
	Chaffinch	Fringilla cœlebs.
	Goldfinch	Carduelis elegans.
	Linnet	Linaria cannabina.
	Starling	Sturnus vulgaris.
35	Thrush	Turdus musicus.
	Blackbird	Turdus merula.
	Nightingale	Sylvia luscinæa.
	Pheasant	Phasianus colchicus.
	Grouse of every species	Tetrao and Lagopus.
40	Partridges of every species	Perdix.
	White Swans	Cygnus.
	Californian Quail	Callipepla Californica.

Australian Birds.

45	Fish Hawks or Sea Eagles	Haliætus Haliastur and Pandion.
	Lyre Birds	Menura.
	Regent Bird	Sericulus melinus.
	Rifle Bird	Ptiloris paradisea.
	Bell Bird	Manorhina melanophrys.
	Black Cockatoos	Calyptorhynchus.
50	King Parrots	Aprosmictus and Ptistes.
	Native Companion	Grus Australiensis.
	Nankin Crane	Nycticorax Caledonicus.
	Ibis	Geronticus and Threskiornis.

Birds Protection Act Amending.

SECOND SCHEDULE.

Part I.

Australian Game Birds protected during the Close Season from 1st August in every year to 31st January then next succeeding inclusive.

5	Common name.	Scientific name.
	Brush Turkey... ..	Talegallus Lathamii.
	Mallee Hen	Leipoa ocellata.
	Land Curlew	Œdicnemus grallarius.
	Bittern	Botaurus poicilopterus.
10	Land Rail	Hypotaenidia Phillipeusis.
	Black Swan	Cygnus atratus.
	Bustard or Plains Turkey	Eupodotis Australis.
	Wild ducks of every species, including Teal.	
	Plovers of every species.	
15	Pigeons and doves of every species.	

Part II.

Birds protected during the Close Season from 1st October in every year to 31st March then next succeeding inclusive.

20 and Quail of every species, including Turnix, Pedionomus, Coturnix, Synoicus, and Excalfatoria.

THIRD SCHEDULE.

Australian Birds other than game protected during the Close Season from 1st August in every year to 31st January then next succeeding inclusive.

	Common name.	Scientific name.
25	Dollar Bird	Eurystomus pacificus.
	Laughing Jackass	Dacelo gigas.
	Kingfishers	Halcyon and Alcyon.
	Wood Swallows	Artamus.
30	Magpies (other than the Black Magpie and the Grey Magpie)	Gymnorhina.
	Peewit or Magpie Lark	Grallina Australis.
	Thrush	Collyriocincla harmonica.
	Wagtails	Sauloprocta and Seisura.
35	Jackey Winter	Micræca fascinans.
	Robins	Petroeca.
	Yellow Robins	Eopsaltria Australis.
	Blue Wrens	Malurus cyaneus and Malurus Lambertii.
40	Emu Wren	Stipiturus malachurus.
	Lark	Anthus Australis.
	Skylark or Nightingale	Cinchoramphus.
	Diamond Sparrow	Estrilda guttata.
	Gill or Wattle Bird	Acanthochæra carunculata.
45	Gang Gang Cockatoo	Callocephalon galeatum.
	Emu	Dromaius Novæ Hollandiæ.
	Indian Minah	Acridotheres tristis.
	Butcher Bird	Cracticus torquatus.
	Coachwhip Bird	Psophodes crepitans.
50	Honeysucker	Meliornis.
	Mocking Bird	Anellobia mellivora.
	Seagulls of every species.	
	Swamp Pheasant.	

THE HISTORY OF THE UNITED STATES

BY JOHN B. HENNINGSEN

CHAPTER I

THE DISCOVERY OF AMERICA

Christopher Columbus, an Italian navigator, was the first European to reach the Americas in 1492. He sailed across the Atlantic Ocean from Spain, and his voyage led to the European discovery of the New World. Columbus's discovery of America was a major event in world history, as it opened up new trade routes and led to the colonization of the Americas.

The discovery of America had a profound impact on the world. It led to the exchange of goods and ideas between the Old World and the New World. The Americas were rich in natural resources, and the discovery of these resources led to the development of new industries and technologies. The discovery of America also led to the migration of people from Europe to the Americas, which eventually led to the formation of new nations.

The discovery of America was a turning point in world history. It marked the beginning of a new era of exploration and discovery. The Americas were discovered by a man who was driven by a desire for wealth and power. Columbus's discovery of America was a result of his boldness and vision. He was the first to see the potential of the New World, and his discovery led to the development of a new world.

The discovery of America was a major event in world history. It led to the development of new industries and technologies. The Americas were rich in natural resources, and the discovery of these resources led to the development of new industries and technologies. The discovery of America also led to the migration of people from Europe to the Americas, which eventually led to the formation of new nations.

The discovery of America was a turning point in world history. It marked the beginning of a new era of exploration and discovery. The Americas were discovered by a man who was driven by a desire for wealth and power. Columbus's discovery of America was a result of his boldness and vision. He was the first to see the potential of the New World, and his discovery led to the development of a new world.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 15 February, 1893.* }

F. W. WEBB,
Clerk of the Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

*Legislative Council Chamber,
Sydney, 2nd May, 1893.* }

ADOLPHUS P. CLAPIN,
Acting Clerk of the Parliaments.

BIRDS PROTECTION ACT AMENDING BILL.

SCHEDULE of the Amendments referred to in Message of 2nd May, 1893.

- Page 1, Title. *Omit* "amend and extend the 'Birds Protection Act of 1881'" *insert*
" **protect certain imported and other birds** "
- Page 1, preamble, line 1. *Omit* "amend and extend" *insert* " **repeal** "
- Page 1, clause 1, line 8. *Omit* "Amending Act"
- Page 1. *After* clause 1 *insert* new clauses **2, 3, 4**
- Page 2, clause 2. *Omit* "scheduled"
- Page 2, clause 2. *After* "quail" *insert* " **included in the Second and Third Schedules hereto** "
- Page 2, clause 2. *At* end of clause *add* " **included in such Schedules** "
- Page 2, clause 3. *Omit* "sixth" *insert* " **seventh** "
- Page 2, clause 3. *Omit* "the Birds Protection Act of 1881" *insert*
" **this Act** "
- Page 2. *After* clause 3. *insert* new clauses **7, 8, 9, 10, 11, 12, 13, 14, 15, 16.**
- Page 3, clause 4. *Omit* "The Schedules of the 'Birds Protection Act of 1881' are hereby repealed, and the Schedules hereto shall be the Schedules applicable to the said Act, and to this Act Amending the same: Provided that"
- Page 3, clause 4. *Omit* "the First Schedule" *insert* " **any of the Schedules hereto** "
- Page 3, clause 4. *After* "Gazette" *insert* " **or altogether** "
- Page 3, clause 4. *After* "birds" *insert* " **or of their being found to be injurious** "
- Page 3, clause 4. *After* "Secretary" *omit* remainder of clause
- Page 3, clause 5. *Omit* clause 5
- Page 4, Schedules. *Omit* First and Second Schedules *insert* new Schedules **1, 2, 3**

c 113—

1. This Act shall come into force immediately on the passing thereof, and may be cited as the "Birds Protection Act Amending Act of 1893." Commencement.
Short title.
- 10 2. The Act forty-five Victoria number twenty-nine is hereby repealed. Repeal of 45 Vic.
No. 29.
- 15 3. The expression "Protected bird" in this Act means any imported or native bird mentioned in or which may be added to the First and Third Schedules hereto. "Game bird"—any bird mentioned in or which may be added to the first or second parts of the Second Schedule hereto. "Scheduled bird"—a bird of any of the kinds or families Interpretation of
terms.
- 256—A

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 15 February, 1893. }*

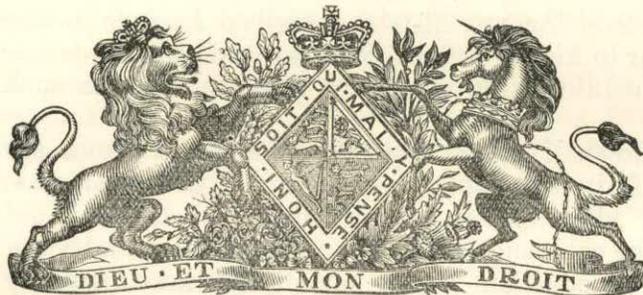
*F. W. WEBB,
Clerk of the Legislative Assembly.*

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

*Legislative Council Chamber,
Sydney, 2nd May, 1893. }*

*ADOLPHUS P. CLAPIN,
Acting Clerk of the Parliaments.*

New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. .

An Act to ~~amend and extend the "Birds Protection Act of 1881"~~ }
protect certain imported and other Birds.

WHEREAS it is expedient to ~~amend and extend~~ **repeal** the "~~Birds Protection Act of 1881:~~" ^{Preamble.} Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act shall come into force immediately on the passing ^{Commencement.} thereof, and may be cited as the "~~Birds Protection Act Amending Act~~ ^{Short title.} of 1893."
- 10 2. The Act forty-five Victoria number twenty-nine is hereby ^{Repeal of 45 Vic. No. 29.} repealed.
- 15 3. The expression "Protected bird" in this Act means any ^{Interpretation of} imported or native bird mentioned in or which may be added to the ^{terms.} First and Third Schedules hereto. "Game bird"—any bird mentioned in or which may be added to the first or second parts of the Second Schedule hereto. "Scheduled bird"—a bird of any of the kinds or families

256—A

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Birds Protection Act-Amending.

families mentioned in or which shall be added to any Schedule to this Act. And "Close season"—the periods of time prescribed by this Act for the protection of the birds included in the Schedules hereto.

4. Any bird not mentioned in the Schedules hereto may, by direction of the Colonial Secretary by a notice published in the Gazette, at any time hereafter be added to the appropriate Schedule to this Act; and after the publication of such notice the provisions of this Act shall apply to such bird, and the production of the Gazette containing such notice shall be conclusive evidence of such addition. Colonial Secretary may add any bird to Schedules.
5. The Close Season for all Scheduled birds save quail included in the Second and Third Schedules hereto shall be the period of time between every first day of August and the thirty-first day of January then next succeeding, both days inclusive, and the Close Season for quail shall be the period of time between every first day of October and the thirty-first day of March then next succeeding, both days inclusive: Provided that the Colonial Secretary may by notice in the *Gazette* vary the period of the Close Season for any district described in such notice whenever it shall appear to him to be expedient so to do for the better preservation of the scheduled birds or any of them included in such Schedules. Close Season.
6. Any person who shall within a period of five years from the passing of this Act, wilfully kill, capture, or injure, or attempt or use any means whatever to kill, capture, or injure any birds in the First Schedule hereto shall, for each such offence, be liable to a penalty not exceeding five pounds in addition to any penalty he may incur by reason of any infringement of the sixth seventh section of the "Birds Protection Act of 1881." this Act. Certain birds protected for five years.
7. Any person who shall during the close season wilfully kill, capture, or injure, or attempt, or use any means whatever to kill, capture, or injure any bird in the Second or Third Schedule hereto, shall for each such offence be liable to a penalty not exceeding five pounds. Penalty for killing, &c., protected birds during the close season.
8. Any person who shall sell or offer for sale, or shall have in his control or possession during the close season, any scheduled bird recently killed or taken, shall for every such bird be liable to a penalty not exceeding five pounds, unless he shall prove that the bird was killed, taken, bought, or received, either during the period in which such bird could legally be killed, or in or from another Colony. Penalty for having dead birds in possession.
9. No firearms having a greater length of barrel than six feet or with the bore exceeding one inch in diameter shall be used for the purpose of shooting any scheduled bird, and no firearms of any description intended to be used for such purpose shall be affixed to any boat, punt, or floating vessel of any kind during any period of the year, or be loaded with a charge exceeding four drachms of gunpowder or two ounces of shot, and any person offending against the provisions of this section shall be liable to a penalty not exceeding ten pounds. Punt guns not to be used, &c.
10. If any person shall take out of the nest or destroy in the nest the eggs of any scheduled bird, he shall be liable to a penalty not exceeding the sum of ten shillings for each egg so taken or destroyed. Penalty on taking or destroying eggs.
11. Nothing in this Act shall apply to the taking or killing of any bird in a domesticated state or ordinarily in confinement by the owner thereof, or to the taking or destroying of the eggs of any such bird by him, or to any eggs, or any such bird taken or killed within any mew or breeding place by the owner thereof: Provided that the bird so killed or taken shall not have been originally caught or taken during the close season. Act not to extend to birds domesticated.
12. Whenever any sheet of water, island, or enclosed land has been or shall be set apart by the Government or any private person for preserving any scheduled birds, the Colonial Secretary may declare by notice in the *Gazette* such setting apart, and thereafter any person other than Birds may be protected in preserves.

Birds Protection Act Amending.

than the owner thereof who shall kill, capture, or injure any such bird within the limits of such water, island, or land shall be liable to a penalty not exceeding five pounds: Provided that the Colonial Secretary may by a like notice cancel any such setting apart.

5 13. It shall be lawful for any householder or constable to require any person offending against any of the provisions of this Act to give his name in full and place of abode. And in case such person shall, after being so required, refuse to give his real name or place of abode, or shall give a false or fictitious name, he may be at once arrested and
 10 taken before some Justice of the Peace, and shall be liable for every such offence to an additional penalty not exceeding five pounds.

Penalty for refusing to give name, place of abode, &c.

14. All informations or charges for offences against this Act may be heard and determined in a summary way before one Justice of the Peace, in accordance with the provisions of the Act or Acts for the
 15 time being in force with reference to summary proceedings before Justices of the Peace, subject to the right of appeal to the next Court of Quarter Sessions holden nearest to the place of conviction, and in all cases the defendant shall be a competent witness.

Prosecution of offences.

15. All penalties recovered under this Act shall be paid—
 20 half to the person who in the opinion of the convicting Justice of the Peace shall have given such information as led to the conviction, and one-half to the Zoological Society.

Disposal of penalties.

16. This Act shall not apply to any person authorised by the Colonial Secretary to collect specimens of natural history for any
 25 scientific institution or museum.

Exceptions.

4. ~~17. The Schedules of the "Birds Protection Act of 1881" are hereby repealed and the Schedules hereto shall be the Schedules applicable to the said Act and to this Act amending the same:—Provided that The Colonial Secretary may remove the name of any bird from the First
 30 Schedule any of the Schedules hereto for any particular district described in a notice in the *Gazette* or altogether whenever it shall be deemed by him expedient so to do by reason of any great increase in the number of such birds or of their being found to be injurious: And from time to time such notices may be issued or annulled by the Colonial Secretary.~~
 35 but in every case of removing any name by such notice the name of such bird shall be added to the list of birds in the first part of the Second Schedule.

Schedules.

Provision to amend Schedules by notice.

5. This Act shall be read and construed with the "Birds
 Protection Act of 1881" as if incorporated therein.

Construction.

Birds Protection Act-Amending.

SCHEDULES.

FIRST SCHEDULE.

Birds absolutely protected for five years, and after that period during the Close Seasons.

5	Pheasant. Partridge. Grouse. Californian Quail. White Swan.	Regent Bird. Rifle Bird. Great Kingfisher, commonly known as the Laughing Jackass. Indian Minah.
10	Emu. Kingfishers of every variety. Lyre Bird.	Brolga or Native Companion. Weetah or Bower Bird.

SECOND SCHEDULE.

FIRST PART.

Birds protected during the Close Season from 1st August to 31st January inclusive in each year.

15	Wild Duck of any species. Teal. Wild Turkey or Bustard.	Land Curlew. Tallgulla or Brush Turkey. Plover (spurwing and plain or flock). Pigeons and Doves.
20	Mallee Hen. Land Rail.	Black Swan.

SECOND PART.

Birds protected during Close Season from 1st October to 31st March inclusive in each year.
Quail of every variety.

FIRST SCHEDULE.

Birds absolutely protected for five years and after that period during the Close Season.

Foreign Birds.

	Common Name.	Scientific Name.
30	Skylark... ..	Alauda arvensis.
	Chaffinch	Fringilla coelebs.
	Goldfinch	Carduelis elegans.
	Linnet	Linaria cannabina.
	Starling	Sturnus vulgaris.
35	Thrush	Turdus musicus.
	Blackbird	Turdus merula.
	Nightingale	Sylvia luscinia.
	Pheasant	Phasianus colchicus.
	Grouse of every species	Tetrao and Lagopus.
40	Partridges of every species	Perdix.
	White Swans	Cygnus.
	Californian Quail	Callipepla Californica.

Australian Birds.

45	Fish Hawks or Sea Eagles	Haliætus Haliastur and Pandion.
	Lyre Birds	Menura.
	Regent Bird	Sericulus melinus.
	Rifle Bird	Ptiloris paradisea.
	Bell Bird	Manorhina melanophrys.
	Black Cockatoos	Calyptorhynchus.
50	King Parrots	Aprosmictus and Ptistes.
	Native Companion	Grus Australiensis.
	Nankin Crane	Nycticorax Caledonicus.
	Ibis	Geronticus and Threskiornis.

Birds Protection Act Amending.

SECOND SCHEDULE.

Part I.

Australian Game Birds protected during the Close Season from 1st August in every year to 31st January then next succeeding inclusive.

5	Common name.	Scientific name.
	Brush Turkey... ..	Talegallus Lathamii.
	Mallee Hen	Leipoa ocellata.
	Land Curlew	Edicnemus grallarius.
	Bittern	Botaurus poicilopterus.
10	Land Rail	Hypotaenidia Phillipensis.
	Black Swan	Cygnus atratus.
	Bustard or Plains Turkey	Eupodotis Australis.
	Wild ducks of every species, including Teal.	
	Plovers of every species.	
15	Pigeons and doves of every species.	

Part II.

Birds protected during the Close Season from 1st October in every year to 31st March then next succeeding inclusive.

20 and Quail of every species, including Turnix, Pedionomus, Coturnix, Synoicus, and Excalfatoria.

THIRD SCHEDULE.

Australian Birds other than game protected during the Close Season from 1st August in every year to 31st January then next succeeding inclusive.

25	Common name.	Scientific name.
	Dollar Bird	Eurystomus pacificus.
	Laughing Jackass	Dacelo gigas.
	Kingfishers	Halcyon and Alcyon.
	Wood Swallows	Artamus.
30	Magpies (other than the Black Magpie and the Grey Magpie)	Gymnorhina.
	Peewit or Magpie Lark	Grallina Australis.
	Thrush	Collyriocincla harmonica.
	Wagtails	Sauloprocta and Seisura.
	Jackey Winter	Micræca fascians.
35	Robins	Petræca.
	Yellow Robins	Eopsaltria Australis.
	Blue Wrens	Malurus cyaneus and Malurus Lamberti.
	Emu Wren	Stipiturus malachurus.
40	Lark	Anthus Australis.
	Skylark or Nightingale	Cinchloramphus.
	Diamond Sparrow	Estrilda guttata.
	Gill or Wattle Bird	Acanthochæra carunculata.
	Gang Gang Cockatoo	Callocephalon galeatum.
45	Emu	Dromaius Novæ Hollandiæ.
	Indian Minah	Acridotheres tristis.
	Butcher Bird	Cracticus torquatus.
	Coachwhip Bird	Psophodes crepitans.
	Honeysucker	Meliornis.
50	Mocking Bird	Anellobia mellivora.
	Seagulls of every species.	
	Swamp Pheasant.	

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 15 February, 1893. }*

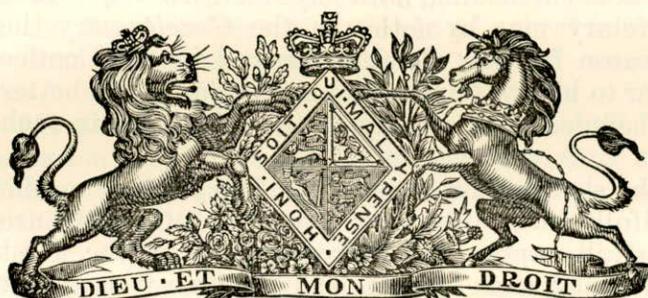
*F. W. WEBB,
Clerk of the Legislative Assembly.*

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

*Legislative Council Chamber,
Sydney, May, 1893. }*

Acting Clerk of the Parliaments.

New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. .

An Act to ~~amend and extend the "Birds Protection Act of 1881"~~
protect certain imported and other Birds.

WHEREAS it is expedient to ~~amend and extend~~ **repeal** the "Birds Preamble.
Protection Act of 1881:" Be it therefore enacted by the
Queen's Most Excellent Majesty, by and with the advice and consent
of the Legislative Council and Legislative Assembly of New South
5 Wales in Parliament assembled, and by the authority of the same, as
follows:—

1. This Act shall come into force immediately on the passing Commencement.
thereof, and may be cited as the "Birds Protection Act ~~Amending Act~~ Short title.
of 1893."
- 10 2. The Act forty-five Victoria number twenty-nine is hereby Repeal of 45 Vic.
repealed. No. 29.
- 15 3. The expression "Protected bird" in this Act means any Interpretation of
imported or native bird mentioned in or which may be added to the terms.
First and Third Schedules hereto. "Game bird"—any bird mentioned
in or which may be added to the first or second parts of the Second
Schedule hereto. "Scheduled bird"—a bird of any of the kinds or
256—A families

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Birds Protection Act Amending.

families mentioned in or which shall be added to any Schedule to this Act. And "Close season"—the periods of time prescribed by this Act for the protection of the birds included in the Schedules hereto.

4. Any bird not mentioned in the Schedules hereto may, by direction of the Colonial Secretary by a notice published in the *Gazette*, at any time hereafter be added to the appropriate Schedule to this Act; and after the publication of such notice the provisions of this Act shall apply to such bird, and the production of the *Gazette* containing such notice shall be conclusive evidence of such addition.

5. The Close Season for all Scheduled birds save quail included in the Second and Third Schedules hereto shall be the period of time between every first day of August and the thirty-first day of January then next succeeding, both days inclusive, and the Close Season for quail shall be the period of time between every first day of October and the thirty-first day of March then next succeeding, both days inclusive: Provided that the Colonial Secretary may by notice in the *Gazette* vary the period of the Close Season for any district described in such notice whenever it shall appear to him to be expedient so to do for the better preservation of the scheduled birds or any of them included in such Schedules.

6. Any person who shall within a period of five years from the passing of this Act, wilfully kill, capture, or injure, or attempt or use any means whatever to kill, capture, or injure any birds in the First Schedule hereto shall, for each such offence, be liable to a penalty not exceeding five pounds in addition to any penalty he may incur by reason of any infringement of the sixth seventh section of the "*Birds Protection Act of 1881.*" this Act.

7. Any person who shall during the close season wilfully kill, capture, or injure, or attempt, or use any means whatever to kill, capture, or injure any bird in the Second or Third Schedule hereto, shall for each such offence be liable to a penalty not exceeding five pounds.

8. Any person who shall sell or offer for sale, or shall have in his control or possession during the close season, any scheduled bird recently killed or taken, shall for every such bird be liable to a penalty not exceeding five pounds, unless he shall prove that the bird was killed, taken, bought, or received, either during the period in which such bird could legally be killed, or in or from another Colony.

9. No firearms having a greater length of barrel than six feet or with the bore exceeding one inch in diameter shall be used for the purpose of shooting any scheduled bird, and no firearms of any description intended to be used for such purpose shall be affixed to any boat, punt, or floating vessel of any kind during any period of the year, or be loaded with a charge exceeding four drachms of gunpowder or two ounces of shot, and any person offending against the provisions of this section shall be liable to a penalty not exceeding ten pounds.

10. If any person shall take out of the nest or destroy in the nest the eggs of any scheduled bird, he shall be liable to a penalty not exceeding the sum of ten shillings for each egg so taken or destroyed.

11. Nothing in this Act shall apply to the taking or killing of any bird in a domesticated state or ordinarily in confinement by the owner thereof, or to the taking or destroying of the eggs of any such bird by him, or to any eggs, or any such bird taken or killed within any mew or breeding place by the owner thereof: Provided that the bird so killed or taken shall not have been originally caught or taken during the close season.

12. Whenever any sheet of water, island, or enclosed land has been or shall be set apart by the Government or any private person for preserving any scheduled birds, the Colonial Secretary may declare by notice in the *Gazette* such setting apart, and thereafter any person other than

Birds Protection Act Amending.

than the owner thereof who shall kill, capture, or injure any such bird within the limits of such water, island, or land shall be liable to a penalty not exceeding five pounds: Provided that the Colonial Secretary may by a like notice cancel any such setting apart.

5 13. It shall be lawful for any householder or constable to require any person offending against any of the provisions of this Act to give his name in full and place of abode. And in case such person shall, after being so required, refuse to give his real name or place of abode, or shall give a false or fictitious name, he may be at once arrested and
10 taken before some Justice of the Peace, and shall be liable for every such offence to an additional penalty not exceeding five pounds.

Penalty for refusing to give name, place of abode, &c.

14. All informations or charges for offences against this Act may be heard and determined in a summary way before one Justice of the Peace, in accordance with the provisions of the Act or Acts for the
15 time being in force with reference to summary proceedings before Justices of the Peace, subject to the right of appeal to the next Court of Quarter Sessions holden nearest to the place of conviction, and in all cases the defendant shall be a competent witness.

Prosecution of offences.

15. All penalties recovered under this Act shall be paid—
20 half to the person who in the opinion of the convicting Justice of the Peace shall have given such information as led to the conviction, and one-half to the Zoological Society.

Disposal of penalties.

16. This Act shall not apply to any person authorised by the Colonial Secretary to collect specimens of natural history for any
25 scientific institution or museum.

Exceptions.

4. 17. ~~The Schedules of the "Birds Protection Act of 1881" are hereby repealed and the Schedules hereto shall be the Schedules applicable to the said Act and to this Act amending the same: Provided that The Colonial Secretary may remove the name of any bird from the First
30 Schedule any of the Schedules hereto for any particular district described in a notice in the *Gazette* or altogether whenever it shall be deemed by him expedient so to do by reason of any great increase in the number of such birds or of their being found to be injurious: And from time to time such notices may be issued or annulled by the Colonial Secretary.~~
35 but in every case of removing any name by such notice the name of such bird shall be added to the list of birds in the first part of the Second Schedule.

Schedules.

Provision to amend Schedules by notice.

5. This Act shall be read and construed with the "Birds
Protection Act of 1881" as if incorporated therein.

Construction.

Birds Protection Act Amending.

SCHEDULES.

FIRST SCHEDULE.

Birds absolutely protected for five years, and after that period during the Close Seasons.

5	Pheasant. Partridge. Grouse. Californian Quail. White Swan.	Regent Bird. Rifle Bird. Great Kingfisher, commonly known as the Laughing Jackass. Indian Minah. Brolga or Native Companion. Weetah or Bower Bird.
10	Emu. Kingfishers of every variety. Lyre Bird.	

SECOND SCHEDULE.

FIRST PART.

Birds protected during the Close Season from 1st August to 31st January inclusive in each year.

15	Wild Duck of any species. Teal. Wild Turkey or Bustard.	Land Curlew. Talgulla or Brush Turkey. Plover (spurwing and plain or flock). Pigeons and Doves. Black Swan.
20	Wild Geese. Mallee Hen. Land Rail.	

SECOND PART.

Birds protected during Close Season from 1st October to 31st March inclusive in each year.
Quail of every variety.

FIRST SCHEDULE.

Birds absolutely protected for five years and after that period during the Close Season.

Foreign Birds.

	Common Name.	Scientific Name.
30	Skylark... ..	<i>Alauda arvensis.</i>
	Chaffinch	<i>Fringilla cœlebs.</i>
	Goldfinch	<i>Carduelis elegans.</i>
	Linnet	<i>Linaria cannabina.</i>
	Starling	<i>Sturnus vulgaris.</i>
35	Thrush	<i>Turdus musicus.</i>
	Blackbird	<i>Turdus merula.</i>
	Nightingale	<i>Sylvia luscinæa.</i>
	Pheasant	<i>Phasianus colchicus.</i>
	Grouse of every species	<i>Tetrao and Lagopus.</i>
40	Partridges of every species	<i>Perdix.</i>
	White Swans	<i>Cygnus.</i>
	Californian Quail	<i>Callipepla Californica.</i>

Australian Birds.

45	Fish Hawks or Sea Eagles	<i>Haliætus Haliastur and Pandion.</i>
	Lyre Birds	<i>Menura.</i>
	Regent Bird	<i>Sericulus melinus.</i>
	Rifle Bird	<i>Ptiloris paradisea.</i>
	Bell Bird	<i>Manorhina melanophrys.</i>
	Black Cockatoos	<i>Calyptorhynchus.</i>
50	King Parrots	<i>Aprosmictus and Ptistes.</i>
	Native Companion	<i>Grus Australiensis.</i>
	Nankin Crane	<i>Nycticorax Caledonicus.</i>
	Ibis	<i>Geronticus and Threskiornis.</i>

Birds Protection Act Amending.

SECOND SCHEDULE.

Part I.

Australian Game Birds protected during the Close Season from 1st August in every year to 31st January then next succeeding inclusive.

5	Common name.	Scientific name.
	Brush Turkey... ..	Talegallus Latham.
	Mallee Hen	Leipoa ocellata.
	Land Curlew	Œdicnemus grallarius.
	Bittern	Botaurus poicilopterus.
10	Land Rail	Hypotaenidia Phillipeusis.
	Black Swan	Cygnus atratus.
	Bustard or Plains Turkey	Eupodotis Australis.
	Wild ducks of every species, including Teal.	
	Plovers of every species.	
15	Pigeons and doves of every species.	

Part II.

Birds protected during the Close Season from 1st October in every year to 31st March then next succeeding inclusive.

20 and Quail of every species, including Turnix, Pedionomus, Coturnix, Synoicus, and Excalfatoria.

THIRD SCHEDULE.

Australian Birds other than game protected during the Close Season from 1st August in every year to 31st January then next succeeding inclusive.

	Common name.	Scientific name.
25	Dollar Bird	Eurystomus pacificus.
	Laughing Jackass	Dacelo gigas.
	Kingfishers	Halcyon and Alcyone.
	Wood Swallows	Artamus.
30	Magpies (other than the Black Magpie and the Grey Magpie)	Gymnorhina.
	Peewit or Magpie Lark	Grallina Australis.
	Thrush	Collyriocincla harmonica.
	Wagtails	Sauloprocta and Seisura.
	Jackey Winter	Micræca fascians.
35	Robins	Petroeca.
	Yellow Robins	Eopsaltria Australis.
	Blue Wrens	Malurus cyaneus and Malurus Lamberti.
40	Emu Wren	Stipiturus malachurus.
	Lark	Anthus Australis.
	Skylark or Nightingale	Cinchoramphus.
	Diamond Sparrow	Estrilda guttata.
	Gill or Wattle Bird	Acanthochæra carunculata.
	Gang Gang Cockatoo	Callocephalon galeatum.
45	Emu	Dromaius Novæ Hollandiæ.
	Indian Minah	Acridotheres tristis.
	Butcher Bird	Cracticus torquatus.
	Coachwhip Bird	Psophodes crepitans.
	Honeysucker	Meliornis.
50	Mocking Bird	Anellobia mellivora.
	Seagulls of every species.	
	Swamp Pheasant.	

SECTION 1

Analysis of the ...

Part I

Part II

Part III

Part IV

SECTION 2

Analysis of the ...

Part I

Part II

Part III

Part IV

Part V

Part VI

Part VII

Part VIII

Part IX

Part X

Part XI

Part XII

Part XIII

Part XIV

Part XV

Part XVI

Part XVII

Part XVIII

Part XIX

Part XX

Part XXI

Part XXII

Part XXIII

Part XXIV

Part XXV

Part XXVI

Part XXVII

Part XXVIII

Part XXIX

Part XXX

SECTION 3

Analysis of the ...

Part I

Part II

Part III

Part IV

Part V

Part VI

Part VII

Part VIII

Part IX

Part X

Part XI

Part XII

Part XIII

Part XIV

Part XV

Part XVI

Part XVII

Part XVIII

Part XIX

Part XX

Part XXI

Part XXII

Part XXIII

Part XXIV

Part XXV

Part XXVI

Part XXVII

Part XXVIII

Part XXIX

Part XXX

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 15 February, 1893.* }

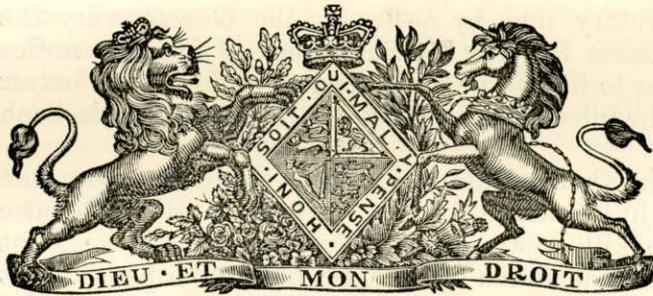
F. W. WEBB,
Clerk of the Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

*Legislative Council Chamber,
Sydney, May, 1893.* }

Acting Clerk of the Parliaments.

New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. .

An Act to amend and extend the "~~Birds Protection Act of 1881~~"
protect certain imported and other Birds.

WHEREAS it is expedient to amend and extend ~~repeal~~ the "~~Birds Protection Act of 1881~~:" Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act shall come into force immediately on the passing thereof, and may be cited as the "~~Birds Protection Act~~ Commencement. ~~Amending Act~~ Short title. of 1893."
- 10 2. The Act forty-five Victoria number twenty-nine is hereby Repeal of 45 Vic. No. 29. repealed.
- 15 3. The expression "Protected bird" in this Act means any imported or native bird mentioned in or which may be added to the First and Third Schedules hereto. "Game bird"—any bird mentioned in or which may be added to the first or second parts of the Second Schedule hereto. "Scheduled bird"—a bird of any of the kinds or families

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NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Birds Protection Act-Amending.

families mentioned in or which shall be added to any Schedule to this Act. And "Close season"—the periods of time prescribed by this Act for the protection of the birds included in the Schedules hereto.

4. Any bird not mentioned in the Schedules hereto may, by direction of the Colonial Secretary by a notice published in the Gazette, at any time hereafter be added to the appropriate Schedule to this Act; and after the publication of such notice the provisions of this Act shall apply to such bird, and the production of the Gazette containing such notice shall be conclusive evidence of such addition. Colonial Secretary may add any bird to Schedules.
5. The Close Season for all scheduled birds save quail included in the Second and Third Schedules hereto shall be the period of time between every first day of August and the thirty-first day of January then next succeeding, both days inclusive, and the Close Season for quail shall be the period of time between every first day of October and the thirty-first day of March then next succeeding, both days inclusive: Provided that the Colonial Secretary may by notice in the *Gazette* vary the period of the Close Season for any district described in such notice whenever it shall appear to him to be expedient so to do for the better preservation of the scheduled birds or any of them included in such Schedules. Close Season.
6. Any person who shall within a period of five years from the passing of this Act, wilfully kill, capture, or injure, or attempt or use any means whatever to kill, capture, or injure any birds in the First Schedule hereto shall, for each such offence, be liable to a penalty not exceeding five pounds in addition to any penalty he may incur by reason of any infringement of the sixth seventh section of the "Birds Protection Act of 1881." this Act. Certain birds protected for five years.
7. Any person who shall during the close season wilfully kill, capture, or injure, or attempt, or use any means whatever to kill, capture, or injure any bird in the Second or Third Schedule hereto, shall for each such offence be liable to a penalty not exceeding five pounds. Penalty for killing, &c., protected birds during the close season.
8. Any person who shall sell or offer for sale, or shall have in his control or possession during the close season, any scheduled bird recently killed or taken, shall for every such bird be liable to a penalty not exceeding five pounds, unless he shall prove that the bird was killed, taken, bought, or received, either during the period in which such bird could legally be killed, or in or from another Colony. Penalty for having dead birds in possession.
9. No firearms having a greater length of barrel than six feet or with the bore exceeding one inch in diameter shall be used for the purpose of shooting any scheduled bird, and no firearms of any description intended to be used for such purpose shall be affixed to any boat, punt, or floating vessel of any kind during any period of the year, or be loaded with a charge exceeding four drachms of gunpowder or two ounces of shot, and any person offending against the provisions of this section shall be liable to a penalty not exceeding ten pounds. Punt guns not to be used, &c.
10. If any person shall take out of the nest or destroy in the nest the eggs of any scheduled bird, he shall be liable to a penalty not exceeding the sum of ten shillings for each egg so taken or destroyed. Penalty on taking or destroying eggs.
11. Nothing in this Act shall apply to the taking or killing of any bird in a domesticated state or ordinarily in confinement by the owner thereof, or to the taking or destroying of the eggs of any such bird by him, or to any eggs, or any such bird taken or killed within any mew or breeding place by the owner thereof: Provided that the bird so killed or taken shall not have been originally caught or taken during the close season. Act not to extend to birds domesticated.
12. Whenever any sheet of water, island, or enclosed land has been or shall be set apart by the Government or any private person for preserving any scheduled birds, the Colonial Secretary may declare by notice in the *Gazette* such setting apart, and thereafter any person other than Birds may be protected in preserves.

Birds Protection Act Amending.

than the owner thereof who shall kill, capture, or injure any such bird within the limits of such water, island, or land shall be liable to a penalty not exceeding five pounds: Provided that the Colonial Secretary may by a like notice cancel any such setting apart.

5 13. It shall be lawful for any householder or constable to require any person offending against any of the provisions of this Act to give his name in full and place of abode. And in case such person shall, after being so required, refuse to give his real name or place of abode, or shall give a false or fictitious name, he may be at once arrested and
10 taken before some Justice of the Peace, and shall be liable for every such offence to an additional penalty not exceeding five pounds.

Penalty for refusing to give name, place of abode, &c.

14. All informations or charges for offences against this Act may be heard and determined in a summary way before one Justice of the Peace, in accordance with the provisions of the Act or Acts for the
15 time being in force with reference to summary proceedings before Justices of the Peace, subject to the right of appeal to the next Court of Quarter Sessions holden nearest to the place of conviction, and in all cases the defendant shall be a competent witness.

Prosecution of offences.

15 15. All penalties recovered under this Act shall be paid—one-half to the person who in the opinion of the convicting Justice of the Peace shall have given such information as led to the conviction, and
20 one-half to the Zoological Society.

Disposal of penalties.

16. This Act shall not apply to any person authorised by the Colonial Secretary to collect specimens of natural history for any
25 scientific institution or museum.

Exceptions.

4. 17. The Schedules of the "Birds Protection Act of 1881" are hereby repealed and the Schedules hereto shall be the Schedules applicable
to the said Act and to this Act amending the same: Provided that The Colonial Secretary may remove the name of any bird from the First
30 Schedule any of the Schedules hereto for any particular district described in a notice in the *Gazette* or altogether whenever it shall be deemed by him expedient so to do by reason of any great increase in the number of such birds or of their being found to be injurious: And from time
35 to time such notices may be issued or annulled by the Colonial Secretary. but in every case of removing any name by such notice the name of such bird shall be added to the list of birds in the first part of the Second Schedule.

Schedules.

Provision to amend Schedules by notice.

5. This Act shall be read and construed with the "Birds Protection Act of 1881" as if incorporated therein.

Construction.

SCHEDULES.

Birds Protection Act Amending.

SCHEDULES.

FIRST SCHEDULE.

Birds absolutely protected for five years, and after that period during the Close Seasons.

5	Pheasant. Partridge. Grouse. Californian Quail. White Swan.	Regent Bird. Rifle Bird. Great Kingfisher, commonly known as the Laughing Jackass. Indian Minah. Brolga or Native Companion. Weetah or Bower Bird.
10	Emu. Kingfishers of every variety. Lyre Bird.	

SECOND SCHEDULE.

FIRST PART.

Birds protected during the Close Season from 1st August to 31st January inclusive in each year.

15	Wild Duck of any species. Teal. Wild Turkey or Bustard.	Land Curlew. Tallegulla or Brush Turkey. Plover (spurwing and plain or flock). Pigeons and Doves. Black Swan.
20	Wild Geese. Mallee Hen. Land Rail.	

SECOND PART.

Birds protected during Close Season from 1st October to 31st March inclusive in each year.
Quail of every variety.

25 FIRST SCHEDULE.

Birds absolutely protected for five years and after that period during the Close Season.

Foreign Birds.

	Common Name.	Scientific Name.
30	Skylark... ..	<i>Alanda arvensis.</i>
	Chaffinch	<i>Fringilla cœlebs.</i>
	Goldfinch	<i>Carduelis elegans.</i>
	Linnet	<i>Linaria cannabina.</i>
	Starling	<i>Sturnus vulgaris.</i>
35	Thrush	<i>Turdus musicus.</i>
	Blackbird	<i>Turdus merula.</i>
	Nightingale	<i>Sylvia luscinea.</i>
	Pheasant	<i>Phasianus colchicus.</i>
	Grouse of every species	<i>Tetrao and Lagopus.</i>
40	Partridges of every species	<i>Perdix.</i>
	White Swans	<i>Cygnus.</i>
	Californian Quail	<i>Callipepla Californica.</i>

Australian Birds.

45	Fish Hawks or Sea Eagles	<i>Haliætus Haliastur and Pandion.</i>
	Lyre Birds	<i>Menura.</i>
	Regent Bird	<i>Sericulus melinus.</i>
	Rifle Bird	<i>Ptiloris paradisea.</i>
	Bell Bird	<i>Manorhina melanophrys.</i>
	Black Cockatoos	<i>Calyptorhynchus.</i>
50	King Parrots	<i>Aprosmictus and Ptistes.</i>
	Native Companion	<i>Grus Australiensis.</i>
	Nankin Crane	<i>Nycticorax Caledonicus.</i>
	Ibis	<i>Geronticus and Threskiornis.</i>

Birds Protection Act Amending.

SECOND SCHEDULE.

Part I.

Australian Game Birds protected during the Close Season from 1st August in every year to 31st January then next succeeding inclusive.

5	Common name.	Scientific name.
	Brush Turkey... ..	Talegallus Latham.
	Mallee Hen	Leipoa ocellata.
	Land Curlew	Œdicnemus grallarius.
	Bittern	Botaurus poicilopterus.
10	Land Rail	Hypotænidia Phillipeusis.
	Black Swan	Cygnus atratus.
	Bustard or Plains Turkey	Eupodotis Australis.
	Wild ducks of every species, including Teal.	
	Plovers of every species.	
15	Pigeons and doves of every species.	

Part II.

Birds protected during the Close Season from 1st October in every year to 31st March then next succeeding inclusive.

Quail of every species, including Turnix, Pedionomus, Coturnix, Synoicus, 20 and Excalfatoria.

THIRD SCHEDULE.

Australian Birds other than game protected during the Close Season from 1st August in every year to 31st January then next succeeding inclusive.

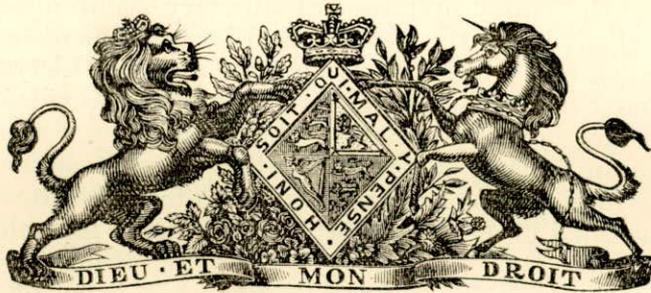
	Common name.	Scientific name.
25	Dollar Bird	Eurystomus pacificus.
	Laughing Jackass	Dacelo gigas.
	Kingfishers	Halcyon and Alcyone.
	Wood Swallows	Artamus.
30	Magpies (other than the Black Magpie and the Grey Magpie)	Gymnorhina.
	Peewit or Magpie Lark	Grallina Australis.
	Thrush	Collyriocincla harmonica.
	Wagtails	Sauloprocta and Seisura.
35	Jackey Winter	Micræca fascians.
	Robins	Petræca.
	Yellow Robins	Eopsaltria Australis.
	Blue Wrens	Malurus cyaneus and Malurus Lamberti.
40	Emu Wren	Stipiturus malachurus.
	Lark	Anthus Australis.
	Skylark or Nightingale	Cinchloramphus.
	Diamond Sparrow	Estrilda guttata.
	Gill or Wattle Bird	Acanthochæra carunculata.
45	Gang Gang Cockatoo	Callocephalon galeatum.
	Emu	Dromaius Novæ Hollandiæ.
	Indian Minah	Acridotheres tristis.
	Butcher Bird	Cracticus torquatus.
	Coachwhip Bird	Psophodes crepitans.
50	Honeysucker	Meliornis.
	Mocking Bird	Anellobia mellivora.
	Seagulls of every species.	
	Swamp Pheasant.	

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber,
Sydney, 15 February, 1893. }

F. W. WEBB,
Clerk of the Legislative Assembly.

New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. .

An Act to amend and extend the "Birds Protection Act of 1881."

(As amended in Committee of the Whole.)

WHEREAS it is expedient to amend and extend the "Birds Protection Act of 1881:" Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act shall come into force immediately on the passing thereof, and may be cited as the "Birds Protection Act of 1893."
2. The Act forty-five Victoria number twenty-nine is hereby repealed.
3. The expression "Protected bird" in this Act means any imported or native bird mentioned in or which may be added to the First Schedule hereto. "Game bird"—any bird mentioned in or which may be added to the first or second parts of the Second Schedule hereto. "Song bird"—any bird mentioned in or which may be added to the Third Schedule hereto. "Scheduled bird"—a bird of any of the kinds or families mentioned in or which shall be added to any

Preamble.

Commencement.

Short title.

Repeal of 45 Vic. No. 29.

Interpretation of terms.

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Schedule

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Birds Protection Act Amending.

Schedule to this Act. And "Close season"—the periods of time prescribed by this Act for the protection of the birds included in the Schedule hereto.

4. Any bird not mentioned in the Schedules hereto may, by direction of the Colonial Secretary by a notice published in the Gazette, at any time hereafter be added to the appropriate Schedule to this Act; and after the publication of such notice the provisions of this Act shall apply to such bird, and the production of the Gazette containing such notice shall be conclusive evidence of such addition. Colonial Secretary may add any bird to Schedules.
5. The Close Season for all Scheduled birds save quail included in the Second Schedule hereto shall be the period of time between every first day of August and the thirty-first day of January then next succeeding, both days inclusive, and the Close Season for quail shall be the period of time between every first day of October and the thirty-first day of March then next succeeding, both days inclusive: Provided that the Colonial Secretary may by notice in the *Gazette* vary the period of the Close Season for any district described in such notice whenever it shall appear to him to be expedient so to do for the better preservation of the scheduled birds or any of them included in such Schedules. Close Season.
6. Any person who shall within a period of five years from the passing of this Act, wilfully kill, capture, or injure, or attempt or use any means whatever to kill, capture, or injure any birds in the First and Third Schedules hereto shall, for each such offence, be liable to a penalty not exceeding five pounds in addition to any penalty he may incur by reason of any infringement of the sixth section of the "Birds Protection Act of 1881." Certain birds protected for five years.
7. Any person who shall during the close season wilfully kill, capture, or injure, or attempt, or use any means whatever to kill, capture, or injure any bird in the Second Schedule hereto, shall for each such offence be liable to a penalty not exceeding five pounds. Penalty for killing, &c., protected birds during the close season.
8. Any person who shall sell or offer for sale, or shall have in his control or possession during the close season, any scheduled bird recently killed or taken, shall for every such bird be liable to a penalty not exceeding five pounds, unless he shall prove that the bird was killed, taken, bought, or received, either during the period in which such bird could legally be killed, or in or from another Colony. Penalty for having dead birds in possession.
9. No firearms having a greater length of barrel than six feet or with the bore exceeding one inch in diameter shall be used for the purpose of shooting any scheduled bird, and no firearms of any description intended to be used for such purpose shall be affixed to any boat, punt, or floating vessel of any kind during any period of the year, or be loaded with a charge exceeding four drachms of gunpowder or two ounces of shot, and any person offending against the provisions of this section shall be liable to a penalty not exceeding ten pounds. Punt guns not to be used, &c.
10. If any person shall take out of the nest or destroy in the nest the eggs of any scheduled bird, he shall be liable to a penalty not exceeding the sum of ten shillings for each egg so taken or destroyed. Penalty on taking or destroying eggs.
11. Nothing in this Act shall apply to the taking or killing of any bird in a domesticated state or ordinarily in confinement by the owner thereof, or to the taking or destroying of the eggs of any such bird by him, or to any eggs taken from, or any such bird taken or killed within any mew or breeding place by the owner thereof: Provided that the bird so killed or taken shall not have been originally caught or taken during the close season. Act not to extend to birds domesticated.
12. Whenever any sheet of water, island, or enclosed land has been or shall be set apart by the Government or any private person for preserving any of the scheduled birds, the Colonial Secretary may declare by notice in the *Gazette* such setting apart and the names of the Birds may be protected in preserves.

the

Birds Protection Act-Amending.

the birds intended to be preserved, and thereafter any person other than the owner thereof who shall kill, capture, or injure any such bird within the limits of such water, island, or land shall be liable to a penalty not exceeding five pounds: Provided that the Colonial Secretary may by a like notice cancel any such setting apart.

13. It shall be lawful for any householder or constable to require any person offending against any of the provisions of this Act to give his name in full and place of abode. And in case such person shall, after being so required, refuse to give his real name or place of abode, or shall give a false or fictitious name, he may be at once arrested and taken before some Justice of the Peace, and shall be liable for every such offence to an additional penalty not exceeding five pounds.

Penalty for refusing to give name, place of abode, &c.

14. All informations or charges for offences against this Act may be heard and determined in a summary way before one Justice of the Peace, in accordance with the provisions of the Act or Acts for the time being in force with reference to summary proceedings before Justices of the Peace, subject to the right of appeal to the next Court of Quarter Sessions holden nearest to the place of conviction, and in all cases the defendant shall be a competent witness.

Prosecution of offences.

15. All penalties recovered under this Act shall be paid—half to the person who in the opinion of the convicting Justice of the Peace shall have given such information as led to the conviction, and one-half to the Zoological Society.

Disposal of penalties.

16. This Act shall not apply to any person authorised by the Colonial Secretary to collect specimens of natural history for any scientific institution or museum.

Not to apply to aboriginals.

4. 17. ~~The Schedules of the "Birds Protection Act of 1881" are hereby repealed and~~ The Schedules hereto shall be the Schedules of this Act applicable to the said Act and to this Act amending the same: Provided that the Colonial Secretary may remove the name of any bird from the First Schedule any of the Schedules hereto for any particular district described in a notice in the *Gazette* whenever it shall be deemed by him expedient so to do by reason of any great increase in the number of such birds: And from time to time such notices may be issued or annulled by the Colonial Secretary, but in every case of removing any name by such notice the name of such bird shall be added to the list of birds in the first part of the Second Schedule.

Schedules.

Provision to amend Schedules by notice.

5. This Act shall be read and construed with the "Birds Protection Act of 1881" as if incorporated therein.

Construction.

Birds Protection Act Amending.

SCHEDULES.

FIRST SCHEDULE.

Birds absolutely protected for five years, and after that period during the Close Seasons.

5	Pheasant. Partridge. Grouse. Californian Quail. White Swan. Emu.	Regent Bird. Rifle Bird. Great Kingfisher, commonly known as the Laughing Jackass. Indian Minah. Brolga or Native Companion.
10	Kingfishers of every variety. Lyre Bird.	Weetah or Bower Bird.

SECOND SCHEDULE.

FIRST PART.

Birds protected during the Close Season from 1st August to 31st January inclusive in each year.

15	Wild Duck of any species. Teal. Wild Turkey or Bustard. Wild Geese.	Land Curlew. Talgulla or Brush Turkey. Plover (spurwing and plain or flock). Pigeons and Doves.
20	Mallee Hen. Land Rail.	Black Swan.

SECOND PART.

Birds protected during Close Season from 1st October to 31st March inclusive in each year.

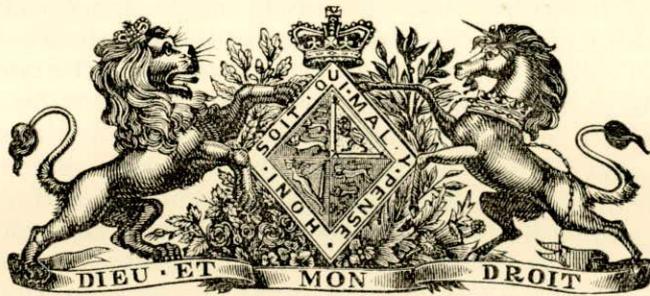
Quail of every variety.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber,
Sydney, 15 February, 1893. }

F. W. WEBB,
Clerk of the Legislative Assembly.

New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. .

An Act to amend and extend the "Birds Protection Act of 1881."

(As amended in Committee of the Whole.)

WHEREAS it is expedient to amend and extend the "Birds Protection Act of 1881:" Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

- 1. This Act shall come into force immediately on the passing thereof, and may be cited as the "Birds Protection Act of 1893."
- 2. The Act forty-five Victoria number twenty-nine is hereby repealed.
- 3. The expression "Protected bird" in this Act means any imported or native bird mentioned in or which may be added to the First Schedule hereto. "Game bird"—any bird mentioned in or which may be added to the first or second parts of the Second Schedule hereto. "Song bird"—any bird mentioned in or which may be added to the Third Schedule hereto. "Scheduled bird"—a bird of any of the kinds or families mentioned in or which shall be added to any

Preamble.

Commencement.
Short title.

Repeal of 45 Vic.
No. 29.

Interpretation of
terms.

256— Schedule

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Birds Protection Act Amending.

Schedule to this Act. And "Close season"—the periods of time prescribed by this Act for the protection of the birds included in the Schedule hereto.

4. Any bird not mentioned in the Schedules hereto may, by direction of the Colonial Secretary by a notice published in the *Gazette*, at any time hereafter be added to the appropriate Schedule to this Act; and after the publication of such notice the provisions of this Act shall apply to such bird, and the production of the *Gazette* containing such notice shall be conclusive evidence of such addition. Colonial Secretary may add any bird to Schedules.
5. The Close Season for all Scheduled birds save quail included in the Second Schedule hereto shall be the period of time between every first day of August and the thirty-first day of January then next succeeding, both days inclusive, and the Close Season for quail shall be the period of time between every first day of October and the thirty-first day of March then next succeeding, both days inclusive: Provided that the Colonial Secretary may by notice in the *Gazette* vary the period of the Close Season for any district described in such notice whenever it shall appear to him to be expedient so to do for the better preservation of the scheduled birds or any of them included in such Schedules. Close Season.
6. Any person who shall within a period of five years from the passing of this Act, wilfully kill, capture, or injure, or attempt or use any means whatever to kill, capture, or injure any birds in the First and Third Schedules hereto shall, for each such offence, be liable to a penalty not exceeding five pounds in addition to any penalty he may incur by reason of any infringement of the sixth section of the "Birds Protection Act of 1881." Certain birds protected for five years.
7. Any person who shall during the close season wilfully kill, capture, or injure, or attempt, or use any means whatever to kill, capture, or injure any bird in the Second Schedule hereto, shall for each such offence be liable to a penalty not exceeding five pounds. Penalty for killing, &c., protected birds during the close season.
8. Any person who shall sell or offer for sale, or shall have in his control or possession during the close season, any scheduled bird recently killed or taken, shall for every such bird be liable to a penalty not exceeding five pounds, unless he shall prove that the bird was killed, taken, bought, or received, either during the period in which such bird could legally be killed, or in or from another Colony. Penalty for having dead birds in possession.
9. No firearms having a greater length of barrel than six feet or with the bore exceeding one inch in diameter shall be used for the purpose of shooting any scheduled bird, and no firearms of any description intended to be used for such purpose shall be affixed to any boat, punt, or floating vessel of any kind during any period of the year, or be loaded with a charge exceeding four drachms of gunpowder or two ounces of shot, and any person offending against the provisions of this section shall be liable to a penalty not exceeding ten pounds. Punt guns not to be used, &c.
10. If any person shall take out of the nest or destroy in the nest the eggs of any scheduled bird, he shall be liable to a penalty not exceeding the sum of ten shillings for each egg so taken or destroyed. Penalty on taking or destroying eggs.
11. Nothing in this Act shall apply to the taking or killing of any bird in a domesticated state or ordinarily in confinement by the owner thereof, or to the taking or destroying of the eggs of any such bird by him, or to any eggs taken from, or any such bird taken or killed within any mew or breeding place by the owner thereof: Provided that the bird so killed or taken shall not have been originally caught or taken during the close season. Act not to extend to birds domesticated.
12. Whenever any sheet of water, island, or enclosed land has been or shall be set apart by the Government or any private person for preserving any of the scheduled birds, the Colonial Secretary may declare by notice in the *Gazette* such setting apart and the names of the Birds may be protected in preserves.
- the

Birds Protection Act-Amending.

the birds intended to be preserved, and thereafter any person other than the owner thereof who shall kill, capture, or injure any such bird within the limits of such water, island, or land shall be liable to a penalty not exceeding five pounds: Provided that the Colonial Secretary may by a like notice cancel any such setting apart.

13. It shall be lawful for any householder or constable to require any person offending against any of the provisions of this Act to give his name in full and place of abode. And in case such person shall, after being so required, refuse to give his real name or place of abode, or shall give a false or fictitious name, he may be at once arrested and taken before some Justice of the Peace, and shall be liable for every such offence to an additional penalty not exceeding five pounds.

Penalty for refusing to give name, place of abode, &c.

14. All informations or charges for offences against this Act may be heard and determined in a summary way before one Justice of the Peace, in accordance with the provisions of the Act or Acts for the time being in force with reference to summary proceedings before Justices of the Peace, subject to the right of appeal to the next Court of Quarter Sessions holden nearest to the place of conviction, and in all cases the defendant shall be a competent witness.

Prosecution of offences.

15. All penalties recovered under this Act shall be paid—one-half to the person who in the opinion of the convicting Justice of the Peace shall have given such information as led to the conviction, and one-half to the Zoological Society.

Disposal of penalties.

16. This Act shall not apply to any person authorised by the Colonial Secretary to collect specimens of natural history for any scientific institution or museum.

Not to apply to aboriginals.

~~4. 17. The Schedules of the "Birds Protection Act of 1881" are hereby repealed and~~ The Schedules hereto shall be the Schedules of this Act applicable to the said Act and to this Act amending the same: Provided

Schedules.

30 that the Colonial Secretary may remove the name of any bird from the First Schedule any of the Schedules hereto for any particular district described in a notice in the *Gazette* whenever it shall be deemed by him expedient so to do by reason of any great increase in the number of such birds: And from time to time such notices may be issued or annulled by the Colonial Secretary, but in every case of removing any name by such notice the name of such bird shall be added to the list of birds in the first part of the Second Schedule.

Provision to amend Schedules by notice.

5. This Act shall be read and construed with the "Birds Protection Act of 1881" as if incorporated therein.

Construction.

SCHEDULES.

Birds Protection Act Amending.

SCHEDULES.

FIRST SCHEDULE.

Birds absolutely protected for five years, and after that period during the Close Seasons.

5	Pheasant. Partridge. Grouse. Californian Quail. White Swan.	Regent Bird. Rifle Bird. Great Kingfisher, commonly known as the Laughing Jackass. Indian Minah.
10	Emu. Kingfishers of every variety. Lyre Bird.	Brolga or Native Companion. Weetah or Bower Bird.

SECOND SCHEDULE.

FIRST PART.

Birds protected during the Close Season from 1st August to 31st January inclusive in each year.

15	Wild Duck of any species. Teal. Wild Turkey or Bustard. Wild Geese.	Land Curlew. Talleghulla or Brush Turkey. Plover (spurwing and plain or flock). Pigeons and Doves.
20	Mallee Hen. Land Rail.	Black Swan.

SECOND PART.

Birds protected during Close Season from 1st October to 31st March inclusive in each year.

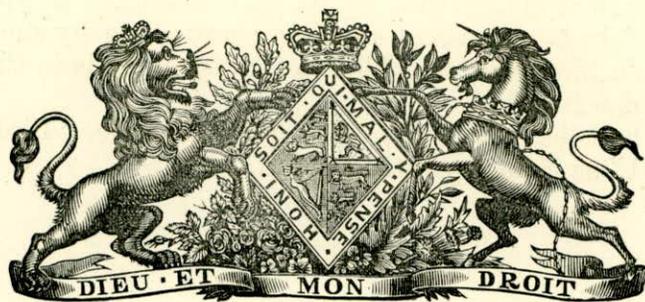
Quail of every variety.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber,
Sydney, 15 February, 1893. }

F. W. WEBB,
Clerk of the Legislative Assembly.

New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. .

An Act to amend and extend the "Birds Protection Act of 1881."

WHEREAS it is expedient to amend and extend the "Birds Protection Act of 1881:" Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act shall come into force immediately on the passing thereof, and may be cited as the "Birds Protection Act Amending Act of 1893."
2. The Close Season for all Scheduled birds save quail shall be the period of time between every first day of August and the thirty-first day of January then next succeeding, both days inclusive, and the Close Season for quail shall be the period of time between every first day of October and the thirty-first day of March then next succeeding, both days inclusive: Provided that the Colonial Secretary may by notice in the *Gazette* vary the period of the Close Season for any district described in such notice whenever it shall appear to him to be expedient so to do for the better preservation of the Scheduled birds or any of them.

Birds Protection Act Amending.

3. Any person who shall within a period of five years from the passing of this Act, wilfully kill, capture, or injure, or attempt or use any means whatever to kill, capture, or injure any birds in the First Schedule hereto shall, for each such offence, be liable to a penalty not exceeding five pounds in addition to any penalty he may incur by reason of any infringement of the sixth section of the "Birds Protection Act of 1881."

Certain birds protected for five years.

4. The Schedules of the "Birds Protection Act of 1881" are hereby repealed, and the Schedules hereto shall be the Schedules applicable to the said Act and to this Act amending the same: Provided that the Colonial Secretary may remove the name of any bird from the First Schedule for any particular district described in a notice in the *Gazette* whenever it shall be deemed by him expedient so to do by reason of any great increase in the number of such birds: And from time to time such notices may be issued or annulled by the Colonial Secretary, but in every case of removing any name by such notice the name of such bird shall be added to the list of birds in the first part of the Second Schedule.

Schedules.

Provision to amend Schedules by notice.

5. This Act shall be read and construed with the "Birds Protection Act of 1881" as if incorporated therein.

Construction.

SCHEDULES.

FIRST SCHEDULE.

Birds absolutely protected for five years, and after that period during the Close Seasons.

25	Pheasant. Partridge. Grouse. Californian Quail. White Swan.	Regent Bird. Rifle Bird. Great Kingfisher, commonly known as the Laughing Jackass. Indian Minah.
30	Emu. Kingfishers of every variety. Lyre Bird.	Brolga or Native Companion. Weetah or Bower Bird.

SECOND SCHEDULE.

FIRST PART.

Birds protected during the Close Season from 1st August to 31st January inclusive in each year.

35	Wild Duck of any species. Teal. Wild Turkey or Bustard. Wild Geese.	Land Curlew. Tallgulla or Brush Turkey. Plover (spurwing and plain or flock). Pigeons and Doves.
40	Mallee Hen. Land Rail.	Black Swan.

SECOND PART.

Birds protected during Close Season from 1st October to 31st March inclusive in each year.

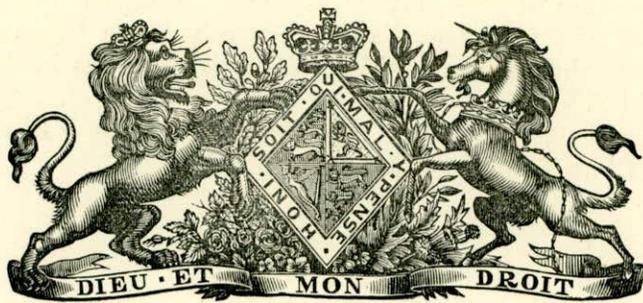
Quail of every variety.

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Legislative Assembly Chamber,
Sydney, 15 February, 1893. }

F. W. WEBB,
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1. This Act shall come into force immediately on the passing thereof, and may be cited as the "Birds Protection Act Amending Act of 1893." Commencement.
Short title.
- 10 2. The Close Season for all Scheduled birds save quail shall be the period of time between every first day of August and the thirty-first day of January then next succeeding, both days inclusive, and the Close Season for quail shall be the period of time between every first day of October and the thirty-first day of March then next succeeding, Close Season.
- 15 both days inclusive: Provided that the Colonial Secretary may by notice in the *Gazette* vary the period of the Close Season for any district described in such notice whenever it shall appear to him to be expedient so to do for the better preservation of the Scheduled birds or any of them.

Birds Protection Act Amending.

3. Any person who shall within a period of five years from the passing of this Act, wilfully kill, capture, or injure, or attempt or use any means whatever to kill, capture, or injure any birds in the First Schedule hereto shall, for each such offence, be liable to a penalty not exceeding five pounds in addition to any penalty he may incur by reason of any infringement of the sixth section of the "Birds Protection Act of 1881."

Certain birds protected for five years.

4. The Schedules of the "Birds Protection Act of 1881" are hereby repealed, and the Schedules hereto shall be the Schedules applicable to the said Act and to this Act amending the same: Provided that the Colonial Secretary may remove the name of any bird from the First Schedule for any particular district described in a notice in the *Gazette* whenever it shall be deemed by him expedient so to do by reason of any great increase in the number of such birds: And from time to time such notices may be issued or annulled by the Colonial Secretary, but in every case of removing any name by such notice the name of such bird shall be added to the list of birds in the first part of the Second Schedule.

Schedules.

Provision to amend Schedules by notice.

5. This Act shall be read and construed with the "Birds Protection Act of 1881" as if incorporated therein.

Construction.

SCHEDULES.

FIRST SCHEDULE.

Birds absolutely protected for five years, and after that period during the Close Seasons.

25	Pheasant. Partridge. Grouse. Californian Quail. White Swan. Emu.	Regent Bird. Rifle Bird. Great Kingfisher, commonly known as the Laughing Jackass. Indian Minah. Brolga or Native Companion. Weetah or Bower Bird.
30	Kingfishers of every variety. Lyre Bird.	

SECOND SCHEDULE.

FIRST PART.

Birds protected during the Close Season from 1st August to 31st January inclusive in each year.

35	Wild Duck of any species. Teal. Wild Turkey or Bustard. Wild Geese.	Land Curlew. Tallgulla or Brush Turkey. Plover (spurwing and plain or flock). Pigeons and Doves. Black Swan.
40	Mallee Hen. Land Rail.	

SECOND PART.

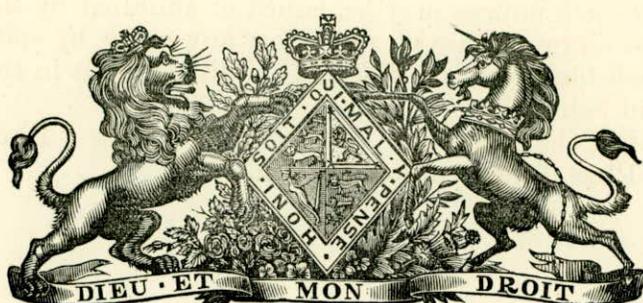
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Quail of every variety.

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Birds Protection Act Amending.

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Schedules.

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5. This Act shall be read and construed with the "Birds Protection Act of 1881" as if incorporated therein.

Construction.

SCHEDULES.

FIRST SCHEDULE.

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30	Kingfishers of every variety. Lyre Bird.	

SECOND SCHEDULE.

FIRST PART.

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SECOND PART.

Birds protected during Close Season from 1st October to 31st March inclusive in each year.

Quail of every variety.

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SECOND PART.

Birds protected during Close Season from 1st October to 31st March inclusive in each year.

Quail of every variety.