

ANNO PRIMO REGIS.

Act No. 26, 1901.

An Act to consolidate the enactments relating to the protection of certain imported and other birds. [Assented to, 30th October, 1901.7

) E it enacted by the King's Most Excellent Majesty, by and with D 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 may be cited as the "Birds Protection Act, 1901." Short title.

2. (1) The Act fifty-six Victoria number eighteen is hereby Repeal. repealed.

(2) Every notice published in the Gazette under the savings. authority of the Act hereby repealed, the effect or operation of which is not exhausted at the time of the passing of this Act, shall be deemed to have been so published hereunder.

3. In this Act, unless the context or subject-matter otherwise Interpretation. indicates or requires-

- 56 Vic. No. 18, s. 3.
- "Close season" means the periods of time prescribed by this Act schedule. for the protection of the birds included in the Schedule hereto.
- "Scheduled bird" means a bird of any of the kinds or families mentioned in or which are hereafter added to the Schedule to this Act. 4.

Colonial Secretary may add or remove any bird to or from Schedule. 56 Vic. No. 18, s. 4.

Ibid. s. 17.

Close season. Ibid. s. 5.

Penalty for killing, &c., scheduled birds during the close season. *Ibid.* s. 7.

Penalty for having dead birds in possession. *Ibid.* s. 8.

Restriction on methods of shooting scheduled birds. *Ibid.* s. 9.

Penalty on taking or destroying eggs. *Ibid.* s. 10.

4. (1) Any bird not mentioned in the Schedule hereto may, by direction of the Colonial Secretary by a notice published in the Gazette, at any time hereafter, be added to the Schedule.

(2) 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.

(3) The Colonial Secretary may, by notice in the Gazette, remove the name of any bird from the Schedule hereto for any particular district described in such notice or for the whole State whenever it is 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 the Colonial Secretary may, by notice in the Gazette, annul any such notice of removal.

5. The close season for all scheduled birds, save quail, shall be the period of time between every first day of August and the thirtyfirst 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 appears to him to be expedient so to do for the better preservation of the scheduled birds or any of them.

6. Whosoever during the close season wilfully kills, captures, or injures, or attempts or uses any means whatever to kill, capture, or injure any scheduled bird shall, for every such offence, be liable to a penalty not exceeding five pounds.

7. Whosoever sells or offers for sale, or has 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 proves 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 State or Colony.

8. Whosoever for the purpose of shooting any scheduled bird— (a) uses a firearm having a greater length of barrel than six feet,

or with the bore exceeding one inch in diameter; or

- (b) affixes to any boat, punt, or floating vessel of any kind a firearm of any description; or
- (c) loads with a charge exceeding four drachms of gunpowder or two ounces of shot a firearm of any description,

shall be liable to a penalty not exceeding ten pounds.

9. Whosever takes out of the nest or destroys in the nest the eggs of any scheduled bird shall be liable to a penalty not exceeding the sum of ten shillings for each egg so taken or destroyed.

10.

10. Nothing in this Act shall apply to the taking or killing by Act not to extend to the owner thereof of any bird in a domesticated state or ordinarily birds domesticated. kept in confinement, or to the taking or destroying by him of the eggs ⁵⁶ Vic. No. 18, s. 11. of any such bird, or to any eggs, or any such bird taken or killed by the owner thereof within any mew or breeding place:

Provided that the bird so killed or taken was not originally caught or taken during the close season.

11. Whenever any sheet of water, island, or enclosed land has Birds may be been or is hereafter set apart by the Government or any private person protected in for preserving any scheduled birds, the Colonial Secretary may by Ibid. s. 12. notice in the Gazette declare such setting apart, and may by a like notice cancel such setting apart.

12. After such notice of setting apart whosoever, not being Penalty for killing, the owner thereof, kills, captures, or injures any scheduled bird within *ke., in preserves. Ibid. s.* 12. the limits of such water, island, or land shall be liable to a penalty not exceeding five pounds.

13. (1) Any householder or constable may require any person Penalty for refusing offending against any of the provisions of this Act to give his name in to give name, place full and place of abode.

(2) If such person, after being so required, refuses to give his real name or place of abode, or gives 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.

14. All informations or charges for offences against this Act Prosecution of offences. may be heard and determined before one justice of the peace.

15. All penalties recovered under this Act shall be paid-one-Disposal of penalties half to the person who in the opinion of the convicting justice of the Ibid. s. 15. peace gave such information as led to the conviction, and one-half to the Zoological Society.

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

SCHEDULE.

		FORM	EIGN B	IRDS.
Com	mon name.			Scientific name.
Skylark	Tell hors ends	and the second		Alauda arvensis.
Chaffinch	Series have been	1		Fringilla cœlebs.
Goldfinch	"Ledit tran	(Sec. 1	Carduelis elegans.
Linnet				Linaria cannabina.
Starling	antin (antin)			Sturnus vulgaris.
Thrush				Turdus musicus.
Blackbird				Turdus merula.
Nightingale			atte de	Sylvia luscinea.
Pheasant	and the second second	and the states of the	Carrier Curre	Phasianus colchicus.
Grouse of even				Tetrao and Lagopus.
Partridges of e	every species			Perdix.
White Swans				Cygnus.
Californian Qu				Callipepla Californica.
Camorman Qu	1211			cumpoput cuntornicu.

AUSTRALIAN

Ibid. s. 14.

Ibid. s. 13.

	Autompersen	Drang
Common name.	AUSTRALIAN	BIRDS. Scientific name.
Fish Hawks or Sea Eagles		Haliætus Haliastur and Pandion.
Lyre Birds	••• •••	Menura.
Regent Birds		Sericulus melinus.
Rifle Bird		Ptiloris paradisea.
Bell Bird		Manorhina melanophrys.
Black Cockatoos		Calyptorhynchus.
Native Companion		Grus Australiensis.
Nankin Crane		Nycticorax Caledonicus.
Laughing Jackass		Dacelo gigas.
Kingfishers		Haleyon and aleyone.
Emu		Dromaius Novæ Hollandiæ.
Seagulls of every description	1.	
Brush Turkey	••••	Talegallus Lathami.
Mallee Hen		Leipoa ocellata.
Land Curlew		Oedicnemus grallarius.
Bittern		Botaurus poicilopterus.
Land Rail		Hypotænidia Phillipeusis.
Black Swan		Cygnus atratus.
Bustard or Plains Turkey		Eupodotis Australis.
Wild Ducks of every species	, including Tea	al.
Plovers of every species.		
Pigeons and doves of every s	species.	
Wild geese of every descript	tion.	
Dollar Bird		Eurystomus pacificus.
Wood Swallow ,		Artamus.
Magpies (other than the Blac		Gymnorhina.
Peewit or Magpie Lark		Grallina Australis.
Thrush		Collyriocincla harmonica.
Wagtails		Sauloprocta and Seisura.
Jackey Winter		. Micræca fascinans.
Robins		Petrœca.
TT 11 TD 1'		Eopsaltria Australis.
Blue Wrens		Malurus cyaneus and Malurus Lamberti.
Emu Wren		Stipiturus malachurus.
Tarl		Anthus Australis.
Skylark or Nightingale		Cinchloramphus.
Diamond Sparrow		Estrilda guttata.
Gang Gang Cockatoo		Callocephalon galeatum.
T 1' N/' 1	••• •••	Acridotheres tristis.
T 1 T 1		Cracticus torquatus.
	••• •••	
l oachwhip Bird		Psonhodes crenitans
Coachwhip Bird		Psophodes crepitans. Meliornis
Honeysucker		Meliornis.
Honeysucker Mocking Bird		
Honeysucker Mocking Bird Swamp Pheasant.	•	Meliornis. Anellobia mellivora.
Honeysucker Mocking Bird Swamp Pheasant. King Parrots	•	Meliornis. Anellobia mellivora. Aprosmictus and Ptistes.
Honeysucker Mocking Bird Swamp Pheasant. King Parrots	•	Meliornis. Anellobia mellivora.

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

[3d.]

By Authority : WILLIAM APPLEGATE GULLICK, Government Printer, Sydney, 1901.

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

Legislative Council Chamber, Sydney, 17th October, 1901. } JOHN J. CALVERT, Clerk of the Parliaments.



EDWARDI VII REGIS.

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B^E it enacted by the King'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 :---

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or with the bore exceeding one inch in diameter; or

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Ibid. s. 7.

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	FOR	EIGN H	BIRDS.	
Common name.			Scientific name.	
Skylark			Alauda arvensis.	
Chaffinch			Fringilla cœlebs.	
Goldfinch			Carduelis elegans.	
Linnet			Linaria cannabina.	
Starling			Sturnus vulgaris.	
Thrush			Turdus musicus.	
Dlashind			Turdus merula.	
37' 1.' 1			Sylvia luscinea.	
Dhaarant			Phasianus colchicus.	
	•••			
Grouse of every species			Tetrao and Lagopus.	
Partridges of every species	s		Perdix.	
White Swans			Cygnus.	
Californian Quail			Callipepla Californica.	

AUSTRALIAN

Ibid. s. 14.

	Aust	RALIAN	BIRDS.
Common name.	3 2 3		Scientific name.
Fish Hawks or Sea Eagles			Haliætus Haliastur and Pandion.
T COL DES LAS AN AND AND AND AND AND AND AND AND AND			Menura.
Regent Birds			Sericulus melinus.
			Ptiloris paradisea.
ו ית וו ת		•••	Manorhina melanophrys.
Dlack Cashataan			Calyptorhynchus.
Black Cockatoos Native Companion			Grus Australiensis.
Native Companion			
Nankin Crane			Nycticorax Caledonicus.
Laughing Jackass			Dacelo gigas.
Kingfishers			Halcyon and alcyone.
Emu			Dromaius Novæ Hollandiæ.
Seagulls of every description	1.		
Brush Turkey			Talegallus Lathami.
Mallee Hen			Leipoa ocellata.
Land Curlew			Oedicnemus grallarius.
Bittern			Botaurus poicilopterus.
Land Rail			Hypotænidia Phillipeusis.
Bittern Land Rail Black Swan			Cygnus atratus.
Bustard or Plains Turkey			Eupodotis Australis.
Wild Ducks of every species	. includ	ling Tea	1.
Plovers of every species.	211-10	0	
Pigeons and doves of every	species		
Wild geese of every descrip	tion		
			Eurystomus pacificus.
TTT 1 (N 11			Artamus.
Wood Swallow	al Mac	min	Gymnorhina.
Magpies (other than the Bla			Grallina Australis.
Peewit or Magpie Lark			
Thrush			Collyriocincla harmonica.
Wagtails Jackey Winter			Sauloprocta and Seisura.
Jackey Winter			Micræca fascinans.
Robins Yellow Robins			Petrœca.
Yellow Robins			Eopsaltria Australis.
Blue Wrens			Malurus cyaneus and Malurus Lamberti.
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Blue Wrens Emu Wren			
Blue Wrens Emu Wren Lark	 		Stipiturus malachurus.
Blue Wrens Emu Wren Lark Skylark or Nightingale	 	 	Stipiturus malachurus. Anthus Australis. Cinchloramphus.
Blue Wrens Emu Wren Lark Skylark or Nightingale Diamond Sparrow	···· ···· ····	···· ···· ····	Stipiturus malachurus. Anthus Australis. Cinchloramphus. Estrilda guttata.
Blue Wrens Emu Wren Lark Skylark or Nightingale Diamond Sparrow Gang Gang Cockatoo	···· ···· ···	 	Stipiturus malachurus. Anthus Australis. Cinchloramphus. Estrilda guttata. Callocephalon galeatum.
Blue Wrens Emu Wren Lark Skylark or Nightingale Diamond Sparrow Gang Gang Cockatoo Indian Minah	···· ···· ····	···· ···· ····	Stipiturus malachurus. Anthus Australis. Cinchloramphus. Estrilda guttata. Callocephalon galeatum. Acridotheres tristis.
Blue WrensEmu WrenLarkSkylark or NightingaleDiamond SparrowGang Gang CockatooIndian MinahButcher Bird	···· ··· ··· ···	···· ··· ··· ···	Stipiturus malachurus. Anthus Australis. Cinchloramphus. Estrilda guttata. Callocephalon galeatum. Acridotheres tristis. Cracticus torquatus.
Blue WrensEmu WrenLarkSkylark or NightingaleDiamond SparrowGang Gang CockatooIndian MinahButcher BirdCoachwhip Bird	···· ··· ··· ···	···· ··· ··· ···	Stipiturus malachurus. Anthus Australis. Cinchloramphus. Estrilda guttata. Callocephalon galeatum. Acridotheres tristis. Cracticus torquatus. Psophodes crepitans.
Blue Wrens Emu Wren Lark Skylark or Nightingale Diamond Sparrow Gang Gang Cockatoo Indian Minah Butcher Bird Coachwhip Bird Honeysucker	···· ··· ··· ···	···· ··· ··· ··· ···	Stipiturus malachurus. Anthus Australis. Cinchloramphus. Estrilda guttata. Callocephalon galeatum. Acridotheres tristis. Cracticus torquatus. Psophodes crepitans. Meliornis.
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Quail of every species, including Turnix, Pedionomus, Coturnix, Synoïcus, and Excalfatoria.

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

FREDK. M. DARLEY,

State Government House, Sydney, 30th October, 1901. Lieutenant-Governor.

Certificate to accompany the Birds Protection Bill.

I CERTIFY that this Bill solely consolidates, and in no way alters, adds to, or amends, the law as contained in the enactments therein consolidated.

> CHAS. G. HEYDON, Commissioner for the Consolidation of the Statute Law.

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Birds Protection Bill.

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Section of Repealed Act.	Section of Consolidated Act.	Remarks.
		56 Victoria No. 18.
$\begin{array}{c}1\\2\\3\end{array}$		Short title and commencement. Repeal.
5 4 5	$4(1)^{(2)}_{5}$,
	$ \begin{array}{c} 6\\ 7 \end{array} $	Omitted ; exhausted.
10	8 9	
$\begin{array}{c}11\\12\\13\end{array}$	$\begin{array}{c}10\\11,12\\13\end{array}$	
14 15	$\frac{14}{15}$	Part omitted as unnecessary. See Act No. 71, 1900
$\frac{16}{17}$	$\begin{array}{c} 16 \\ 4 (3) \end{array}$	

TABLE showing how the enactments consolidated have been dealt with.

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

Legislative Council Chamber, Sydney, 18th September, 1901. JOHN J. CALVERT, Clerk of the Parliaments.

New South Wales.



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10. Nothing in this Act shall apply to the taking or killing by Act not to extend to the owner thereof of any bird in a domesticated state or ordinarily birds domesticated. kept in confinement, or to the taking or destroying by him of the eggs Ibid. s. 11. of any such bird, or to any eggs, or any such bird taken or killed by the owner thereof within any mew or breeding place :

Provided that the bird so killed or taken was not originally caught or taken during the close season.

11. Whenever any sheet of water, island, or enclosed land has Birds may be been or is hereafter set apart by the Government or any private person protected in preserves. for preserving any scheduled birds, the Colonial Secretary may by Ibid. s. 12. notice in the Gazette declare such setting apart, and may by a like notice cancel such setting apart.

12. After such notice of setting apart whosoever, not being Penalty for killing, the owner thereof, kills, captures, or injures any scheduled bird within *total in the second second* &c., in preserves. the limits of such water, island, or land shall be liable to a penalty not exceeding five pounds.

13. (1) Any householder or constable may require any person Penalty for refusing offending against any of the provisions of this Act to give his name in to give name, place full and place of abode. Ibid. s. 13.

(2) If such person, after being so required, refuses to give his real name or place of abode, or gives a false or ficitious 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.

14. All informations or charges for offences against this Act Prosecution of may be heard and determined before one justice of the peace.

Ibid. s. 14.

15. All penalties recovered under this Act shall be paid-one- Disposal of penalties half to the person who in the opinion of the convicting justice of the *Ibid.* s. 15. peace gave such information as led to the conviction, and one-half to the Zoological Society.

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

SCHEDULE.

FOREIGN BIRDS

			TOT	TETATA T	DIRDS.
Com	mon na	ame.			Scientific name.
Skylark					Alauda arvensis.
Chaffinch					Fringilla cœlebs.
Goldfinch					Carduelis elegans.
Linnet					Linaria cannabina.
Starling					Sturnus vulgaris.
Thrush					Turdus musicus.
Blackbird					Turdus merula.
Nightingale					Sylvia luscinea.
Pheasant					Phasianus colchicus.
Grouse of even					Tetrao and Lagopus.
Partridges of e	verv	snecies			Perdix.
White Swans					Cygnus.
Californian Qu					Callipepla Californica.
Camornian Qu	lan				Campopia Camornica.

AUSTRALIAN

Act No. , 1901.

Birds Protection.

	AUSTRALIAN	BIRDS.
Common name.	11001111111111	Scientific name.
Fish Hawks or Sea Eagles		Haliætus Haliastur and Pandion.
TD'I	••• •••	Menura.
D' / D' 1	••• •••	Sericulus melinus.
Rifle Bird		Ptiloris paradisea.
Bell Bird		Manorhina melanophrys.
Black Cockatoos	••••	Calyptorhynchus.
Native Companion	•••• •••	Grus Australiensis.
Nankin Crane		Nycticorax Caledonicus.
Laughing Jackass		Dacelo gigas.
Kingfishers	••• •••	Haleyon and aleyone.
Emu	••• •••	Dromaius Novæ Hollandiæ.
Seagulls of every description	1.	
Brush Turkey		Talegallus Lathami.
Mallee Hen		Leipoa ocellata.
Land Curlew		Oedicnemus grallarius.
Bittern		Botaurus poicilopterus.
Land Rail		Hypotænidia Phillipeusis.
Black Swan		Cygnus atratus.
Bustard or Plains Turkey		Eupodotis Australis.
Wild Ducks of every species		
Plovers of every species.	, meru ing re	at.
Pigeong and dougg of overy	anoning	
Pigeons and doves of every	species.	
Wild geese of every descrip		Europe town and if and
Dollar Bird		Eurystomus pacificus.
Wood Swallow	1 75	Artamus.
Magpies (other than the Bla	ck Magpie)	Gymnorhina.
Peewit or Magpie Lark		Grallina Australis.
Thrush		Collyriocincla harmonica.
Wagtails		Sauloprocta and Seisura.
Jackey Winter		Micræca fascinans.
Robins		Petrœca.
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.
Tullin Minal	••• •••	Acridotheres tristis.
T / I T' I		~
Butcher Bird		Cracticus torquatus.
Coachwhip Bird		Psophodes crepitans.
Honeysucker	•••• ••	Meliornis.
Mocking Bird		Anellobia mellivora.
Swamp Pheasant.		
King Parrots		A prosmictus and Ptistes.
Ibis		Geronticus and Threskiornis.
The bird commonly known a	s "The Happ	y Family," or "The Twelve Apostles."

Quail of every species, including Turnix, Pedionomus, Coturnix, Synoïcus, anà Excalfatoria.

Sydney: William Applegate Gullick, Government Printer.-1901.

[6d.]

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Certificate to accompany the Birds Protection Bill.

I CERTIFY that this Bill solely consolidates, and in no way alters, adds to, or amends, the law as contained in the enactments therein consolidated.

CHAS. G. HEYDON, Commissioner for the Consolidation of the Statute Law.

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Birds Protection Bill.

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Section of Repealed Act.	Section of Consolidated Act.	Remarks.
		56 VICTORIA NO. 18.
$ \begin{array}{c} 1 \\ 2 \\ 3 \\ 4 \\ 5 \\ 6 \\ 7 \\ 8 \\ 9 \\ 9 \end{array} $	$ \begin{array}{c} $	Short title and commencement. Repeal. Omitted ; exhausted.
$ \begin{array}{r} 5 \\ 10 \\ 11 \\ $	$\begin{array}{c} 8\\ 9\\ 10\\ 11, 12\\ 13\\ 14\\ 15\\ 16\\ 4\ (3)\end{array}$	Part omitted as unnecessary. See Act No. 71, 1900

TABLE showing how the enactments consolidated have been dealt with.

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Legislative Council.

No. , 1901.

A BILL

To consolidate the enactments relating to the protection of certain imported and other birds.

[MR. WISE ;-21 August, 1901.]

DE it enacted by the King'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 may be cited as the "Birds Protection Act, 1901." Short title.

2. (1) The Act fifty-six Victoria number eighteen is hereby Repeal. repealed.

(2) Every notice published in the Gazette under the Savings. authority of the Act hereby repealed, the effect or operation of which is not exhausted at the time of the passing of this Act, shall be deemed to have been so published hereunder.

3. In this Act, unless the context or subject-matter otherwise Interpretation. indicates or requires—

56 Vic. No. 18, s. 3.

"Close season" means the periods of time prescribed by this Act Schedule.

for the protection of the birds included in the Schedule hereto. "Scheduled

"Scheduled bird" means a bird of any of the kinds or families mentioned in or which are hereafter added to the Schedule to this Act.

4 (1) Any bird not mentioned in the Schedule hereto may, by direction of the Colonial Secretary by a notice published in the Gazette, at any time hereafter, be added to the Schedule.

(2) 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.

(3) The Colonial Secretary may, by notice in the Gazette, remove the name of any bird from the Schedule hereto for any particular district described in such notice or for the whole State whenever it is 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 the Colonial Secretary may, by notice in the Gazette, annul any such notice of removal.

5. The close season for all scheduled birds, save quail, shall be the period of time between every first day of August and the thirtyfirst 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 appears to him to be expedient so to do for the better preservation of the scheduled birds or any of them.

6. Whoseever during the close season wilfully kills, captures, or injures, or attempts or uses any means whatever to kill, capture, or injure any scheduled bird shall, for every such offence, be liable to a penalty not exceeding five pounds.

7. Whosoever sells or offers for sale, or has 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 proves 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 State or Colony.

8. Whosoever for the purpose of shooting any scheduled bird— (a) uses a firearm having a greater length of barrel than six feet,

or with the bore exceeding one inch in diameter; or

- (b) affixes to any boat, punt, or floating vessel of any kind a firearm of any description; or
- (c) loads with a charge exceeding four drachms of gunpowder or two ounces of shot a firearm of any description,

9.

shall be liable to a penalty not exceeding ten pounds.

Colonial Secretary may add or remove any bird to cr from Schelule. 56 Vie. No. 18, s 4.

Ibid. s. 17.

Close season. Ibid. s. 5.

Penalty for killing. &c, scheduled birds during the close season. *Ibid.* s. 7.

Penalty for having dead birds in possession. *I bid.* s. 8.

Restriction on methods of shooti..g scheduled birds. *Ibid.* s. 9.

9. Whoseever takes out of the nest or destroys in the nest the Penalty on taking or eggs of any scheduled bird shall be liable to a penalty not exceeding destroying eggs. the sum of ten shillings for each egg so taken or destroyed.

10. Nothing in this Act shall apply to the taking or killing by Act not to extend to the owner thereof of any bird in a domesticated state or ordinarily birds domesticated. kept in confinement, or to the taking or destroying by him of the eggs Ibid. s. 11. of any such bird, or to any eggs, or any such bird taken or killed by the owner thereof within any mew or breeding place:

Provided that the bird so killed or taken was not originally caught or taken during the close season.

11. Whenever any sheet of water, island, or enclosed land has Birds may be been or is hereafter set apart by the Government or any private person protected in preserves. for preserving any scheduled birds, the Colonial Secretary may by Ilid. s. 12. notice in the Gazette declare such setting apart, and may by a like notice cancel such setting apart.

12. After such notice of setting apart whosever, not being Penalty for killing, the owner thereof, kills, captures, or injures any scheduled bird within *kc.,* in preserves. *Ibid.* s. 12. the limits of such water, island, or land shall be liable to a penalty not exceeding five pounds.

13. (1) Any householder or constable may require any person Penalty for refusing offending against any of the provisions of this Act to give his name in to give name, place full and place of abode. 1bid. s. 13.

(2) If such person, after being so required, refuses to give his real name or place of abode, or gives a false or ficitious 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.

14. All informations or charges for offences against this Act Presecution of may be heard and determined before one justice of the peace.

15. All penalties recovered under this Act shall be paid-one- Disposal of penalties half to the person who in the opinion of the convicting justice of the *Ibid.* s. 15. peace gave such information as led to the conviction, and one-half to the Zoological Society.

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

			S	CHED	ULE.	
			For	REIGN	Birds.	
Com	mon na	ame.			Scientific name.	
Skylark					Alauda arvensis.	
Chaffinch					Fringilla cœlebs.	
Goldfinch					Carduelis elegans.	
Linnet					Linaria cannabina.	
Starling					Sturnus vulgaris.	
Thrush					Turdus musicus.	
Blackbird					Turdus merula.	
Nightingale					Sylvia luscinea.	
Pheasant					Phasianus colchicus.	
Grouse of ever					Tetrao and Lagopus.	
Partridges of	every	species			Perdix.	
White Swans					Cygnus.	
Californian Qu					Callipepla Californica.	
					enterpris currorment	AUSTRALIAN

offences. Ibid. s. 14.

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AUSTRALIAN BIRDS.	
Common name. Scientific name.	
D' L H L an San Forder Helimtus Heliestur and Pandion	
Tion Hawks of Sou Lagres in the	
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Dtilonia paradiana	
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Tratito companion in the transmission of the second s	
Nankin Crane Nycticorax Caledonicus.	
Laughing Jackass Dacelo gigas.	
Kingfishers Haleyon and aleyone.	
Emu Dromaius Novæ Hollandiæ.	
Seagulls of every description.	
Brush Turkey Talegallus Lathami.	
Mallee Hen Leipoa ocellata.	
Land Curlew Oedichemus graharius.	
Bittern Botaurus poicilopterus. 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.	
Pigeons and doves of every species.	
Wild geese of every description.	
Dollar Bird Eurystomus pacificus.	
Wood Swallow Artamus.	
Magpies (other than the Black Magpie) Gymnorhina.	
Peewit or Magpie Lark Grallina Australis.	
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Buckey Hinter III III III D	
	tı.
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 Cracticus torquatus.	
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Honeysucker Meliornis.	
Mocking Bird Anellobia mellivora.	
Swamp Pheasant.	
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Quail of every species, including Turnix, Pedionomus, Coturnix, Synoïcus, ana Excalfatoria.

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