CHAPTER 35.

An Act to amend the Laws relating to the Protection of Wild Birds.

[7th September 1880.]

WHEREAS it is expedient to provide for the protection of wild birds of the United Kingdom during the breeding season:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may for all purposes be cited as the Wild Birds Protection Act, 1880.

Definition of terms.

2. The words "wild birds" shall for all the purposes of this Act be deemed to mean all wild birds. The word "sheriff" shall include steward and also sheriff substitute and steward substitute.

Penalties for shooting or taking wild birds.

3. Any person who between the first day of March and the first day of August in any year after the passing of this Act shall knowingly and wilfully shoot or attempt to shoot, or shall use any boat for the purpose of shooting or causing to be shot, any wild bird, or shall use any lime, trap, snare, net, or other instrument for the purpose of taking any wild bird, or shall expose or offer for sale, or shall have in his control or possession after the fifteenth day of March, any wild bird recently killed or taken, shall, on conviction of any such offence before any two justices of the peace in England and Wales or Ireland, or before the sheriff in Scotland, in the case of any wild bird which is included in the schedule hereunto annexed, forfeit and pay for every such bird in respect of which an offence has been committed a sum not exceeding one pound, and, in the case of any other wild bird, shall for a first offence be reprimanded and discharged on payment of costs, and for every subsequent offence forfeit and pay for every such wild bird in respect of which an offence is committed a sum of money not exceeding five shillings, in addition to the costs, unless such person shall prove that the said wild bird was either killed or taken or bought or received during the period in which such wild bird could be legally killed or taken, or from some person residing out of the United Kingdom. This section shall not apply to the owner or occupier of any land, or to any person authorised by the owner or occupier of any land, killing or taking any wild bird on such land not included in the schedule hereto annexed.

Penalty for refusing to give name and place of abode.

4. Where any person shall be found offending against this Act, it shall be lawful for any person to require the person so offending to give his Christian name, surname, and place of abode, and in case the person so offending shall, after being so required, refuse to give his real name or place of abode, or give an untrue name or place of abode, he shall be liable on being convicted of any such offence to forfeit and pay, in addition to the penalties imposed by section three, such sum of money not exceeding ten shillings sterling as to the justices or sheriff shall seem meet.

Prosecution of offences.

5. All offences under this Act may be prosecuted, and penalties and forfeitures under this Act recovered,—

11 & 12 Vict. c. 43. 42 & 43 Vict. c. 49. 27 & 28 Vict. c. 53.

(1.) In England in manner provided by the Summary Jurisdiction (England) Acts; and

(2.) In Scotland before the sheriff in manner provided by the Summary Procedure Act, 1864, and any Acts amending the same; and

14 & 15 Vict. c. 93.

(3.) In Ireland within the police district of Dublin metropolis, in manner provided by the Acts regulating the powers and duties of justices of the peace for such district or of the police of such district, and elsewhere in Ireland before two justices in manner provided by the Petty Sessions (Ireland) Act, 1851, and any Act amending the same.

6. All offences mentioned in this Act which shall be committed within the jurisdiction of the Admiralty shall be deemed to be offences of the same nature and liable to the same punishments as if they had been committed upon any land in the United Kingdom, and may be dealt with, inquired of, tried, and determined in any county or place in the United Kingdom in which the offender shall be apprehended or be in custody or be summoned, in the same manner in all respects as if such offences had been actually committed in that county or place; and in any information or conviction for any such offence the offence may be averred to have been committed "on the high seas." And in Scotland any offence committed against this Act on the sea coast or at sea beyond the ordinary jurisdiction of any sheriff, justice or justices of the peace, shall be held to have been committed in any county abutting on such sea coast or adjoining such sea, and may be tried and punished accordingly. As to trial of offences committed within the Admiralty jurisdiction.

Where any offence under this Act is committed in or upon any waters forming the boundary between any two counties, districts of quarter sessions, or petty sessions, such offence may be prosecuted before any justices of the peace or sheriff in either of such counties or districts.

7. This Act shall come into operation on the first day of January one thousand eight hundred and eighty-one, and on the same day the Act passed in the session of Parliament holden in the thirty-second and thirty-third years of the reign of Her present Majesty, entitled "An Act for the preservation of Sea Birds," and the Act passed in the session of Parliament holden in the thirty-fifth and thirty-sixth years of the reign of Her present Majesty, entitled "An Act for the protection of certain wild birds during the breeding "season," and the Act passed in the session of Parliament holden in the thirty-ninth and fortieth years of the reign of Her present Majesty, entitled "An Act for the preserva- "tion of Wild Fowl," shall be repealed. Commencement of Act. Repeal of Acts. 32 & 33 Vict. c. 17. 35 & 36 Vict. c. 78. 39 & 40 Vict. c. 29.

8. One of Her Majesty's Principal Secretaries of State as to Great Britain, and the Lord Lieutenant as to Ireland, may, upon application of the justices in quarter sessions assembled of any county, by order extend or vary the time during which the killing and taking of wild birds or any of them is prohibited by this Act; after the making of which order the penalties imposed by this Act in respect of such wild birds shall in such county apply only to offences committed during the time specified in such order; and the order for the extension or variation of such time shall be published, if made by the Secretary of State, in the London Gazette, or if made by the Lord Lieutenant in the Dublin Gazette, and a copy of the London Gazette or Dublin Gazette containing any order made under this Act shall be evidence of the same having been made. Extension or variation of close time.

9. The operation of this Act shall not extend to the Island of Saint Kilda, and it shall be lawful for one of Her Majesty's Principal Secretaries of State as to Great Britain, and for the Lord Lieutenant as to Ireland, where it shall appear desirable, from time to time, upon the application of the justices in quarter sessions assembled in any county to exempt any such county or part or parts thereof, as to all or any wild birds, from the operation of this Act; and every such order shall be published and may be proved in the manner provided in the preceding section. Extent of Act.

SCHEDULE.

American quail.	Cornish chough.	Dunlin.
Auk.	Coulterneb.	Eider duck.
Avocet.	Cuckoo.	Fern-owl.
Bee-eater.	Curlew.	Fulmar.
Bittern.	Diver.	Gannet.
Bonxie.	Dotterel.	Goatsucker.
Colin.	Dunbird.	Godwit.

Goldfinch.	Peewit.	Skua.
Grebe.	Petrel.	Smew.
Greenshank.	Phalarope.	Snipe.
Guillemot.	Plover.	Solan goose.
Gull (except Black-backed gull).	Ploverspage.	Spoonbill.
	Pochard.	Stint.
Hoopoe.	Puffin.	Stone curlew.
Kingfisher.	Purre.	Stonehatch.
Kittiwake.	Razorbill.	Summer snipe.
Lapwing.	Redshank.	Tarrock.
Loon.	Reeve or Ruff.	Teal.
Mallard.	Roller.	Tern.
Marrot.	Sanderling.	Thickknee.
Merganser.	Sandpiper.	Tystey.
Murre.	Scout.	Whaup.
Night-hawk.	Sealark.	Whimbrel.
Night-jar.	Seamew.	Widgeon.
Nightingale.	Sea parrot.	Wild duck.
Oriole.	Sea swallow.	Willock.
Owl.	Shearwater.	Woodcock.
Ox bird.	Shelldrake.	Woodpecker.
Oyster catcher.	Shoveller.	

CHAPTER 36.

An Act to amend the Savings Banks Acts. [7th September 1880.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Repayment by terminable annuity of deficit on trustee savings bank account. 26 & 27 Vict. c. 25.

1. Whereas in pursuance of the Savings Bank Investment Act, 1863, the National Debt Commissioners annually prepare a balance sheet showing the assets and liabilities of the Commissioners in respect of trustee savings banks on the previous twentieth day of November, and the said balance sheet has annually shown a deficiency of the said assets to meet the liabilities, and such deficiency has in pursuance of the said Act been declared by the Treasury to be a charge on the Consolidated Fund of the United Kingdom:

26 & 27 Vict. c. 25.

And whereas in the said balance sheet the securities forming part of the assets have in pursuance of the said Act been valued at the price which the like securities bore on the said day in the public market, and by reason of the adoption of that mode of valuation and the variation in the price of securities the deficiency has in some years appeared to have diminished, whereas if the securities had in every year been valued at the same price such diminution would not have appeared:

40 & 41 Vict. s. 13.

And whereas in pursuance of section seventeen of the Customs, Inland Revenue, and Savings Banks Act, 1877, the National Debt Commissioners annually make out an account with respect to the year ending on the previous twentieth day of November, showing on the one side the interest accrued on the above-mentioned assets, and showing on the other side the interest paid and credited to the trustees of trustee savings banks, and the interest accrued is annually insufficient to meet the interest paid and credited, and such deficiency has been paid out of moneys provided by Parliament:

And whereas it is expedient to make further provision respecting the above-mentioned balance sheet and deficiencies: Be it therefore enacted as follows:

(1.) In every balance sheet of the assets and liabilities of the National Debt Commissioners in respect of trustee savings banks prepared after the passing of this Act in