

GALVESTON, Tex., Nov. 13 — Jurors heard opening arguments on Tuesday in the trial of a bird-watching enthusiast who fatally shot a cat that he said was stalking endangered shorebirds.

The defendant, James M. Stevenson, is the founder of the Galveston Ornithological Society and leads bird-watching tours on this Gulf Coast island 60 miles southeast of Houston. If convicted on animal cruelty charges in the shooting last November, he faces up to two years in jail and a \$10,000 fine.

Mr. Stevenson, 54, does not deny using a .22-caliber rifle fitted with a scope to kill the cat, which lived under the San Luis Pass toll bridge, linking Galveston to the mainland. He also admits killing many other cats on his own property, where he operates a bed and breakfast for some of the estimated 500,000 birders who come to the island every year.

In her opening statement, Paige L. Santell, a Galveston County assistant district attorney, told the jury of eight women and four men that Mr. Stevenson “shot that animal in cold blood” and that the cat died a slow and painful death “gurgling on its own blood.”

She said that the cat had a name, Mama Cat, and that though the cat lived under a toll bridge, she was fed and cared for by a toll collector, John Newland. He is expected to testify.

Whether the cat was feral is the crucial point in this case. Mr. Stevenson was indicted under a state law that prohibited killing a cat “belonging to another.” Prompted by this case, the law was changed on Sept. 1 to include all cats, regardless of ownership.

Ms. Santell argued that because Mr. Newland had named, fed and given the cat bedding and toys, the cat belonged to him and was not feral.

Mr. Stevenson's lawyer, Tad Nelson, admitted in his opening statement that his client went to the San Luis Pass toll bridge with "an intent to kill." but that he had planned to kill a wild animal that was preying on endangered piping plovers. "This man has dedicated his whole life to birds," Mr. Nelson said, pointing at Mr. Stevenson.

The case has prompted emotional commentary on the Internet. Cat enthusiast blogs have called Mr. Stevenson a "murderous fascist" and a "diabolical monster." Birding blogs have defended his right to dispense with a "terrible menace" and have set up funds to help pay for his defense.

In an interview in a courthouse elevator during a break in the trial, Mr. Stevenson said heatedly that cat fanciers who have condemned him and sent him hateful correspondence "think birds are nothing but sticks." "This is about wild species disappearing from your planet," he said, adding, "I did what I had to do."

Testimony followed from police officers and the veterinarian who performed the autopsy on Mama Cat, a white and gray tabby mix. The jurors were shown several photographs of the bloodied cat, reminiscent of an episode of "CSI: Miami."

Pictures of the crime scene showed trays of cat food, blankets and cat toys hanging from strings under the bridge. The .22-

caliber rifle Mr. Stevenson used to kill the cat along with his magazine full of Remington hollow-point bullets were also on display.

The prosecution and defense wrangled repeatedly about whether witnesses could accurately assess the cat's state of mind.

"He's not qualified to know what the cat was feeling," said Mr. Nelson, when a police officer, John P. Bertolino Sr., testified that the cat was in terrible pain when he arrived at the crime scene. The cat died en route to a Humane Society facility.

The trial, which is expected to take a week, had few spectators save a handful of bird lovers and cat lovers who sat on opposite sides of the courtroom. One side nodded emphatically at Ms. Santell's arguments, and the other nodded whenever Mr. Nelson objected.

"How people feel about the trial depends on who you talk to," said Victor Lang, a local historian, adding that bird-watchers and cat fanciers obviously had the strongest views.

Though others may argue passionately about whether Mr. Stevenson should be punished, Mr. Lang said he did not have strong feelings about the case.

"But you see, I'm a dog person," he said. "If he had shot a dog, then I'd be more upset."