

the indications mentioned in article 2126 at the apex of each angle."

3. Article 2134 of the Revised Statutes, 1909, as R. S., 2134, replaced by the act 1 George V (2nd session), chapter 23, ^{am.} section 7, and amended by the acts 4 George V, chapter 20, section 5, and 5 George V, chapter 35, section 3, is again amended by adding thereto, after the word "acres" in the first line of paragraph 3 thereof, the words: "and in surveyed territory for less than half a lot, as the north half, the south half, the east half, or the west half, as the case may be".

4. Articles 2168, 2169 and 2170 of the Revised Statutes, ^{Provisions} 1909, are repealed. ^{repealed.}

5. This act shall come into force on the day of its ^{Coming into} sanction. ^{force.}

CHAP. 26

An Act to consolidate and revise the Quebec Game Laws

[Assented to 22nd December, 1916]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Section XI of chapter VIII of title IV of the ^{Provisions} Revised Statutes, 1909, is replaced by the following: ^{replaced.}

"SECTION XI

GAME

" § 1.—*Interpretative Provisions*

"2309. 1. This section may be cited as the "Quebec Short title. Game Laws".

2. The following words, wherever they occur in this ^{Expressions} section, or in the regulations made thereunder, shall have ^{defined.} the meanings hereinafter given them, unless the context clearly indicates a different meaning:

a. The word "Minister" means the minister entrusted by law with all matters connected with game;

b. The word "department" means the department

presided over by the minister entrusted by law with all matters connected with game;

c. The word "game" or the words "game animal" or "game bird", respectively, mean any animal or bird, or part thereof, protected by this section and the regulations made thereunder.

"§ 2.—*Prohibitions*

"I.—MOOSE, CARIBOU, DEER

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|---|---|
| Close season for:
Deer and
moose. | "2310. It is forbidden: |
| | 1. To hunt, kill or take deer or moose between the first day of January of any year and the first day of September of the same year, on penalty of a fine of not less than fifty dollars nor more than one hundred dollars, per head; |
| Caribou; | 2. To hunt, kill or take caribou, between the first day of February of any year and the first day of September of the same year, on penalty of a fine of not less than fifty dollars nor more than seventy dollars, per head; |
| Prohibition to use dogs. | 3. To make use of dogs for hunting, killing or taking moose, caribou or deer, on penalty of a fine of not less than forty dollars nor more than fifty dollars, for each offence. |
| Exception. | But red deer may be so hunted, killed or taken from the first of November to the tenth of November inclusive, of each year. |
| Dogs not to be allowed to run at large in certain places. | No person owning, having or harbouring any dog accustomed to hunt or pursue deer, shall allow such dog to run at large, hunt or course in any place frequented by deer, between the tenth of November of any year and the first of November of the following year, under penalty of a fine of not less than five dollars nor more than twenty-five dollars. Any person may, without incurring any responsibility, kill any such dog found so unlawfully running at large, hunting or coursing in any such locality; |
| Permission to kill such dogs. | |
| Yarding and crusting. | 4. To hunt, kill or take moose or deer while yarding, or by what is known as "crusting", on penalty of a fine of not less than forty dollars nor more than fifty dollars, per head, over and above the ordinary penalty for hunting or taking such animals during the close season; |
| Fawns, &c.; | 5. To hunt, kill or take at any time the young of any of the animals mentioned in paragraphs 1 and 2 of this article, up to the age of one year, on penalty of a fine of not less than twenty dollars nor more than fifty dollars, per head; |
| Cow moose; | 6. To hunt, kill or take, at any time, any cow moose, under penalty of a fine of not less than one hundred dollars nor more than two hundred dollars, per head; |

7. To use, at any time, any rope, snare, spring, net, pit, trap of any kind, jacklight or other artificial light, to hunt, kill or take any moose, caribou or deer, or to place, construct, erect or set, either wholly or in part, any engine for such purpose; on penalty of a fine of not less than one hundred dollars nor more than two hundred dollars, for each offence.

"2311. 1. No person shall, in one season's hunting, kill or take alive more than one moose, two deer and two caribou, and, in case of infringement of this article, the offender shall be liable to the same penalty as if he had hunted during the close season.

The Minister may nevertheless, if he deems it advisable, grant to any person domiciled in the Province, on payment of a fee of five dollars, a temporary permit to hunt, kill or take alive not more than three additional caribou and three additional deer.

The Minister may, however, exempt from the payment of such fee any *bona fide* settler or any Indian, whose poverty has been established to his satisfaction, and who requires such game as a means of subsistence for himself and family.

2. In all cases the offender shall be liable to the payment of the costs, and, failing immediate payment of the fine and costs, in any case of infringement of article 2310 or 2311, the offender shall be liable to imprisonment for not less than one month nor more than six months; and, in the case of a third or any subsequent offence, the offender shall be liable to both the imprisonment and the fine mentioned in article 2310 or 2311 as the case may be.

"II.—BEAVER, MINK, OTTER, MARTEN, FISHER, HARE, BEAR, MUSKRAT, ETC.

"2312. 1. It is forbidden to hunt, kill or take:

a. Any beaver, at any time up to the first day of November, 1917, and, after that date, between the first day of April of any year and the first day of November of the same year; however, in the county of Saguenay, it is permitted to hunt, kill or take beaver between the first day of November of any year and the first day of April of the following year;

b. Any mink, otter, marten, fisher (*pekan*), raccoon, musk-rat or skunk, or any other fur-bearing animal not specially excepted by this article, between the first day of April of any year and the first day of November of the same year;

Close season for:

Beaver;

Mink, &c.;

- Fox; c. Any fox, between the first day of March of any year and the first day of November of the same year;
- Hare; d. Any hare, between the first day of February of any year and the fifteenth day of October of the same year, or any bear between the first day of July of any year and the twentieth day of August of the same year.
- Bear;
- Penalties. 2. The penalty for any infringement of this article shall be:
 For beaver: not less than ten dollars nor more than twenty dollars, per head;
 For black or silver fox: not less than fifty dollars nor more than one hundred dollars, per head;
 For cross fox, not less than ten dollars nor more than twenty-five dollars, per head;
 For otter, not less than ten dollars nor more than twenty-five dollars, per head;
 For hare, not less than one dollar nor more than three dollars; per head;
 For mink, marten, fisher (*pekan*), every species of fox not already mentioned, raccoon, skunk, musk-rat, bear, and other furbearing animals not specially excepted by this article, not less than two dollars nor more than five dollars, per head.
- General penalty. 3. In every case the offender shall be liable to the payment of the costs, and, failing immediate payment of the fine and costs, the offender shall be liable to imprisonment for not less than one month nor more than six months; and, in the case of a third or any subsequent offence, the offender shall be liable to both the imprisonment and the fine mentioned in this article.
- Exception
re beaver. 4. Notwithstanding any provision to the contrary, the Minister may, at any time, have beaver hunted or taken for the benefit of the Crown, in certain places where they do damage by damming lakes and rivers and flooding the neighboring lands.

III.—WOODCOCK, SNIPE, PARTRIDGE, WILD DUCK, TEAL, &C.

“2313. It is forbidden:

- Close season for: 1. To hunt, kill or take:
- Woodcock, &c.; a. Any woodcock, snipe, plover, curlew, tatler, sand-piper or sand-lark, between the first day of February of any year and the first day of September in the same year; any birch or spruce partridge, between the fifteenth day of December of any year and the first day of September in the following year; or any white partridge (*ptarmigan*), between the first day of February of any year and the first day of November in the same year;

b. Any widgeon, teal or wild duck of any kind, except Widgeon, sheldrake, loons and gulls, between the first day of March &c.; of any year and the first day of September of the same year. Nevertheless, the inhabitants of that part of the Province comprised in the territory situated to the north and east of the Saguenay River, and those of the county of Gaspé may, for the purpose of procuring food only, at all seasons of the year, except between the first day of June and the first day of August, hunt, kill or take any of the birds mentioned in this paragraph *b*;

c. At any time of the year, any American eider-duck Eider-duck, (*moyac*), gannet (*Margou*) any penguin, any puffin or &c.; sea-parrot, any guillemot (*marmette*) or sea pigeon;

d. At any time of the year, between one hour after Hours during sunset and one hour before sunrise, in any manner what- ing which ever, any woodcock, snipe, partridge, widgeon, teal or hunting is wild duck of any kind; and, during such prohibited hours, forbidden. it is also forbidden to keep exposed, under any pretext, any lures or decoys near a blind, boat or bank.

2. To disturb, injure, gather or take, at any time, the Taking of eggs of any species of game bird. Any vessel or boat eggs, &c., used in disturbing, gathering or taking the eggs of any prohibited. species of the aforesaid game bird may, as well as the eggs, be seized and confiscated according to law.

3. To take, at any time, by means of any rope, snare, Traps, &c., spring, cage, net, pit, trap of any kind, jacklight or other prohibited. artificial light, any of the birds hereinabove mentioned.

Any infringement of this article shall render the guilty Penalties. person liable, in addition to the payment of the costs, to a fine of not less than ten dollars nor more than twenty-five dollars, and, on failure to pay such fine and costs, to imprisonment for not less than fifteen days nor more than one month.

"2314. It is forbidden to hunt, kill or take ducks, Hunting wild geese or other water-fowl by means of vessels or from cer- yachts propelled by steam or other motive power, on tain vessels prohibited. penalty, in addition to the payment of the costs, of a fine of not less than ten dollars nor more than twenty-five dollars, and, on failure to pay such fine and costs, the offender shall be liable to imprisonment for not less than fifteen days nor more than one month.

"2315. Any person found on any part of a river or Burden of bay, where ducks, wild geese or other water-fowl rest or proof in usually gather, in any boat or craft, with a fire-arm or certain cases. jack-light or other light of a nature to attract the said birds, or any person found on any part of such river or

bay with any such light, shall be deemed to have gone on the said river or bay with the intention of killing the said birds with the aid of such light; and the burden of proof shall be upon the said person to show that he was there with no intention of breaking the law.

Buying, &c., of partridge. **"2316.** 1. It is forbidden to buy or sell, expose for sale or have in possession with intent to sell, any birch or spruce partridge before the first day of October, 1920.

Delivery of certain partridge, forbidden, &c. Every delivery of any such partridge, otherwise than by purely gratuitous title, constitutes a sale, and every acceptance of such partridge otherwise than by purely gratuitous title, constitutes a purchase, within the meaning of this article.

Certain deliveries, are sales, &c. If any such partridge be found in the possession of any dealer, by any title whatsoever, or of the proprietor of any cold storage warehouse, or of any person who sells or keeps for sale any produce or commodities, the burden of proof that such dealer, owner of cold storage warehouse, or such person has not such partridge in his possession with intent to sell the same, shall be upon such dealer, owner of cold storage warehouse, or person in possession of the same.

Burden of proof in certain cases. Penalties. 2. Every infringement of the provisions of this article shall render the person guilty thereof liable, for a first offence, to a fine of not less than one dollar nor more than two dollars, for each partridge; for a second offence, to a fine of not less than five dollars nor more than ten dollars for each partridge; and for a third or subsequent offence, to the same fine as for a second offence, and to imprisonment for not less than thirty days nor more than three months—with costs in all cases.

IV.—INSECTIVOROUS AND OTHER BIRDS BENEFICIAL TO AGRICULTURE, &C.

Close season for certain birds, &c. **"2317.** It is forbidden at any time to hunt or kill, and, between the first day of March in any year and the first day of November in the same year, to take by means of any net, trap, spring, snare, or otherwise, any of the birds known as perchers, such as swallows, kingbirds, warblers, fly-catchers, woodpeckers, whip-poor-wills, finches, (song sparrows, red birds, indigo birds, and others,) cow-buntings, titmice, goldfinches, thrushes, (robins, wood-thrushes, and others) wrens, bobolinks, grakles, gros-beaks, humming-birds, cuckoos, and others; or take their nests or eggs, except eagles, falcons, hawks and other birds of the *falconidae*, owls, kingfishers, crows, ravens, waxwings (*récollets*), shrikes, jays, magpies, sparrows, and starlings; and whosoever finds any such net, trap, spring,

Exception. Destruction of nets, &c.

snare, cage, or any similar device, so placed or set, may take possession of or destroy the same; and the offender shall be, moreover, liable to a fine of not less than one dollar nor more than five dollars, and costs, and, on failure to pay such fine and costs, to imprisonment for not less than eight days nor more than one month.

“§3.—*Transportation of Game*

“**2318.** 1. Every railway, steamboat and other com-^{Transport of}pany, and other common carrier, is forbidden to carry ^{moose, &c.,} or to have in its possession the whole or any part of ^{forbidden} any moose, caribou or deer, the flesh of such animal, or ^{unless tag} the head or the green hide thereof, unless there be attached ^{thereto.} thereto a tag issued by the Department, authorizing such transportation.

2. Every railway, steamboat and other company, and ^{Idem, after} other common carrier, is forbidden to carry, on the first ^{first fifteen} day of the open season, and after the first fifteen days ^{days of} from the beginning of the close season, any moose, caribou, or deer, the whole or any part of the flesh, the head or the green hide of any such animal.

3. Paragraphs 1 and 2 of this article do not apply to ^{Preceding} the carriage of moose, caribou, deer, the whole or any part ^{paragraphs} of the flesh, or the head or green hide of any such animal, ^{not to apply,} if there be attached thereto an affidavit establishing that ^{if certain} such animal has been killed or taken in another province of ^{affidavit} Canada in accordance with the laws of such province, or in ^{produced.} one of the United States of America.

4. Any railway, steamboat or other company, or other ^{Penalty for} common carrier, or any person aiding in any way whatever ^{contraven-} the infringement of this article, shall be liable to a penalty ^{tion.} of not less than twenty-five dollars nor more than fifty dollars, for each offence, and to the payment of the costs incurred.

5. Nevertheless, the Minister may, at any time, grant ^{Transport} a transportation permit when it has been established to his ^{permit may} satisfaction that the moose, caribou, or deer, or part ^{be granted} thereof, which it is desired to carry, has been taken or ^{by Minister.} killed during an open season and in a lawful manner.

6. For any permit, or for any tag mentioned in ^{Fees for per-} paragraph 1 of this article, there may be exacted a duty, the ^{mits or tags.} amount whereof shall be fixed by the Minister, according to circumstances, but which shall not be more than five dollars.

“**2319.** Every bag, parcel, chest, box, trunk or other ^{Box, &c., to} receptacle used for the carriage of game shall be so made ^{be made, so}

that con-
tents may be
seen, &c. that the contents thereof, or the description of such contents, may be seen; and the name and address of the shipper, and of the consignee, must be shown on a tag attached thereto.

Penalty. Every infringement of the provisions of this article shall render the owner, the consignor, or the person claiming the same, liable to a fine of not less than twenty-five dollars nor more than fifty dollars, with costs, and, on failure to pay such fine and costs, to imprisonment for not more than three months.

Seizure and
confisca-
tion. In a case of infringement, any officer may seize on the spot any of the above-mentioned objects, and bring them before a judge, who shall declare them confiscated for the benefit of the Crown, upon special application of the seizing officer, if it be proved that such objects were intended for commerce.

“§4.—Prohibition to export out of the Province without paying the Royalty

Royalty to
be paid on
furs, &c.,
exported
from the
Province. **“2320.** Every person who ships or takes out of the Province any fur-bearing animal or any part thereof, without having previously paid the royalty established by the Lieutenant-Governor in Council, is liable, in addition to the payment of the costs, to a fine of not less than twenty-five dollars nor more than one hundred dollars for each animal or part thereof so shipped or taken. On failure to pay the fine and costs, the offender is liable to imprisonment for not more than two months.

“§5.—General Provisions

Penalty for
illegal en-
gines, &c. **“2321.** It is forbidden to place, construct, erect or set, either wholly or in part, any engine forbidden by any provision of this section, on penalty, in addition to the payment of the costs, of a fine of not less than ten dollars nor more than twenty-five dollars, and, on failure to pay such fine and costs, to imprisonment for not more than two months; and any person finding any engine so placed, constructed, erected, or set, of whatever nature it may be, may take possession of or destroy the same, as well as any snare or trap set to take fur-bearing animals, when such snare or trap remains so set during the close season for such animals.

Use of
strychnine,
&c., forbid-
den. **“2322. 1.** It is forbidden, at all times, to use strychnine or any other deleterious substance whatsoever, or dynamite, to hunt, take, kill or destroy any animal or bird mentioned in this section, on penalty, in addition

to the payment of the costs, of a fine of not less than twenty-five dollars nor more than fifty dollars, and, on failure to pay such fine and costs, the offender shall be liable to imprisonment for not less than one month nor more than six months.

2. It is forbidden, at all times, to set any spring-gun or guns, or any firearms or other devices which might en-Additional penalty for things dangerous to human life. danger human life, on penalty, in addition to the payment of the costs, of a fine of twenty-five dollars and imprisonment for two months. In the case of a subsequent offence, the fine and the imprisonment shall be double those imposed for the previous conviction.

"2323. No person who has killed or taken any bird or animal suitable for food, shall allow the flesh thereof to be destroyed or spoilt, and no person who has killed or taken a fur-bearing animal, shall allow the skin thereof to be destroyed or spoilt, on penalty, in addition to the payment of the costs, of a fine, in either case, of not less than twenty-five dollars nor more than fifty dollars; and on failure to pay such fine and the costs, the offender shall be liable to imprisonment for not less than one month, nor more than three months.

"2324. Every person who is disguised or masked while in possession of a gun or of any hunting gear, and about to commit an offence against this section, shall be liable to imprisonment for a term of not more than three months without the option of a fine, in addition to any other penalty provided for such offence.

"2325. Every person who has in his possession, by any title whatsoever, without special authorization from the Minister, any implement or stamp used to mark fur or other article, with intent to imitate the mark approved by the Minister for the collection of the royalty, or who has made use of any such implement or stamp, shall, in addition to all other penalties to which he is liable, be liable to a fine of not less than one hundred dollars nor more than three hundred dollars, and the costs, for the first offence, and, for every subsequent offence, to double the penalty imposed for the previous offence, and, on failure to pay such fine and costs, to imprisonment for not more than twelve months.

"2326. The possession by any person of any hunting gear prohibited by law, shall be *prima facie* evidence of illegal hunting, and the burden of proof shall be upon

such person to show that he had the said device for no illegal object.

Persons accompanying offender guilty.

"2327. Every person accompanying or assisting another person either as servant, partner or otherwise, in any violation of the game laws, or of any regulation made thereunder, is guilty of the same offence as the principal offender.

Certain persons liable for offences of their men.

"2328. Heads of lumbering establishments, and foremen, contractors and sub-contractors engaged in lumbering operations and in the building of railways, are responsible for every offence against the game laws, or the regulations made thereunder, committed by men under their control.

Proviso.

Nevertheless, such responsibility shall not be incurred if the person subject thereto proves that he was unable to prevent the acts complained of; provided, however, that the game killed in contravention of this section be not found in the houses, camps, stores or dependencies belonging to or under the control of the persons above-mentioned, or has not been used in such places.

Certain animals causing damage may be killed.

"2329. Every proprietor, possessor or tenant may, at any time, chase away or kill any game animal, except beaver, causing or seriously threatening to cause damage to moveable or immoveable property.

Solemn declaration to be made in certain cases.

Nevertheless, in the case of moose, caribou, or deer, the proprietor, possessor or tenant shall, within the fifteen days following that on which he has hunted, taken or killed one of such animals, file at the Department a solemn declaration to the effect that such animal was causing or that there was serious danger of its causing damage to moveable or immoveable property.

Penalty for failure to make return.

"2330. Every person or association of persons whatsoever, carrying on business in his own name or through an agent, and every such agent, and every person bound, under any provision of law, to make a return, and who has not made such return within the delay fixed, is liable, in addition to the payment of the costs, to a fine of not more than one hundred dollars.

Additional penalty.

Moreover, every such person, association of persons or agent who refuses or neglects to make any return in accordance with any provision of law, is liable, in addition to the payment of the costs, to a fine of ten dollars per day for each day such infringement may last, counting from the day such return should have been made to the day on which he sends in to the Minister the return which he should have sent in before.

Every person or association of persons, or every such ^{Incomplete} agent, bound under any provision of law to make any ^{or inaccurate} return, and who makes an incomplete or inaccurate return, shall be deemed to have failed to make such return.

“§ 6.—*Seizures and Confiscations*

“**2331.** Any inspector, game-warden, or special officer ^{Power of} may cause to be opened, or may himself open in case of ^{game warden} refusal, any bag, parcel, chest, box, trunk or other recep- ^{to open} tacle, wherever found—except in private houses—in ^{bags, &c.,} which he has reason to believe that game, killed or taken ^{for certain} during the close season, or furs or skins out of season, ^{purposes.} are kept.

“**2332.** Any inspector, game-warden or special ^{Search war-} officer, who has reason to suspect and does suspect that ^{rants may} game, killed or taken during the close season, or by illegal ^{be obtained} means, or furs or skins out of season, are contained or ^{by inspect-} kept in a private house, shall make a deposition before a ^{ors, &c.} justice of the peace according to form A of this section, ^{Form of de-} and apply for a search-warrant to search such private ^{position.} house, and thereupon such justice of the peace shall issue a ^{Form of} warrant according to form B. ^{warrant.}

Any inspector, game-warden or special officer may ^{Power of} enter, without a warrant, any vessel, boat, shed, car, ^{inspectors,} cold-storage warehouse or other building, saving those ^{&c., to enter} within the meaning of the first paragraph of this article, ^{vessels, &c.,} to search for such game, furs, or skins, and for that purpose, ^{without} may cause to be opened, or, in case of refusal, may himself ^{warrant, &c.} open, any door giving access to any such vessel, boat, shed, car, cold-storage warehouse or other building, as well as any door in the interior thereof.

“**2333.** Every game animal or bird which, when ^{Sale, &c., of} lawfully taken or killed, is not forbidden to be sold, exposed ^{game.} for sale or kept for sale, or any portion of such animal or bird, may be bought or sold after the third day of the open season, until fifteen days after the expiration thereof; and, outside the period fixed by this article, it is forbidden to sell, expose for sale or keep for sale, any game except as provided in article 2350.

“**2334.1.** Every inspector, every game-warden and every ^{When game} special officer shall forthwith seize all game: (a) found by ^{to be seized.} him being offered for sale during the first three days of the open season, or after the expiration of fifteen days from the commencement of the close season, except as provided in article 2350, or in the possession or custody of any

person after the fifteenth day following the commencement of the close season, or (b) which appear to have been taken or killed during such close season, or (c) which appear to have been killed by some unlawful means; and shall bring such game before any justice of the peace, who, if the law has been broken, shall declare it confiscated, either wholly or in part, for the benefit of the Province, upon a prosecution against the person found in possession or custody of such game, if he be known, or against the person claiming to be the owner thereof, and shall sentence him to the penalty provided in article 2339.

Exemptions
from
seizure.

2. The following, however, are exempt from such seizure and confiscation: (a) the skin or head of any animal which has been killed during any open season; and, (b) when kept alive and taken in the open season, any bird, the hunting or shooting whereof is prohibited by article 2317, or any animal kept under a special permit.

What may
be seized as
security.

"2335. The officer who makes a seizure under article 2334 may, at the same time, seize, as security for the payment of the fine and costs, any skin or game to which this section applies, and which is found with the other articles so seized, as well as any trunk, box or receptacle of any kind in which they are contained.

Every article so seized as security shall be left in charge of the department, until final judgment upon the complaint, and shall then be sold according to law, to satisfy such fine and costs, if any. In the case of any subsequent offence, the skins or game, and the trunk, boxes or other receptacles in which they are contained, may be declared by the judge, on special application by the seizing officer, confiscated to the benefit of the Crown.

Burden of
proof.

"2336. 1. In all cases enumerated in articles 2334 and 2335, the burden of proof that no infringement of the law has taken place, shall be upon and at the expense of the owner of such game, or of the owner of the said skins, or of the person offering the same for sale, or in whose possession, care or keeping such game or skins were found.

Seizure of
arms, &c.

2. The game-warden may also seize any arms the bearer whereof has been caught hunting, as well as any canoe, skiff, boat, yacht, or craft of any kind belonging thereto, when they are used for hunting or for transporting the game illegally taken, and may keep the same until the fine exigible in each case has been paid. Nevertheless, in the case of a third or any subsequent offence, the things so seized must be declared, by the judge, confiscated to the benefit of the Crown.

"2337. Every inspector, game-warden or special officer, shall, after each seizure of furs or skins, cause to be established, as soon as possible, by a competent person, duly sworn, the condition of the furs or skins so seized, and shall place them in a safe place, and then immediately report to the Department. Proceedings after seizure of furs to establish condition of articles seized.

The owner of such furs or skins so seized, or his attorney or special agent, within a delay of eight days, to count from the date of the seizure, shall himself also appoint, at his own expense, a person who shall have a right to examine such furs or skins. Proprietor, &c., may appoint person to examine such articles.

If the owner or his attorney or special agent be not present and cannot be found at the time of such seizure, and if the value of such furs or skins so seized may be reasonably estimated at fifty dollars at least, notice thereof shall be given twice during fifteen days in a newspaper published in the French language, and twice in a newspaper published in the English language, in the place where such seizure took place, or in the nearest place if no such newspapers are published in such place; the costs of such notice shall be at the expense of the owner or of his attorney or his special agent, if the articles be claimed, and such claim be allowed; if not, they shall be paid by the department, to which, at the expiration of the said delay, the furs or skins so seized shall belong. Notice to be given if proprietor cannot be found.

"2338. 1. Game, skins or any other thing whatsoever of appreciable value, confiscated under any provision of law, shall be sold, on the order of the Minister, for the benefit of the Crown. Game, &c., confiscated, to be sold.

The Minister may, however, dispose, in favor of benevolent institutions or charitable organizations, of game or other things confiscated, when the sale thereof for the benefit of the Crown cannot be easily effected. Exception in certain case.

2. The Minister may also reserve, for the use of the Crown, anything so confiscated, of any nature whatsoever, which, in his opinion, may be of use for the administration of one of the departments of the Government of this Province. Reservation for use of the Crown.

3. Any game liable to seizure under any provision of this section, found in the possession of any person, within the boundaries of the Province, is presumed to have been killed or taken on the territory of this Province, and the burden of proof shall be upon such person to show that the game has been killed or taken outside the Province. Presumption in certain case.

4. In case it is established to the satisfaction of the Minister that game actually in the Province has been killed or taken in one of the other Provinces of Canada, Permit for transportation, &c., of

game in cer- in Newfoundland or in one of the United States of America,
tain case. in a territory bordering upon the Province of Quebec, in
accordance with the laws in force therein, the Minister
may issue a permit for the transportation and utilization
of such game. If the game was killed or taken outside of
the Province in contravention of the laws of the country
where it was taken, the Minister may hand it over to the
proper authorities.

Penalties. **"2339.** Every person found guilty of having had or of
having unlawfully in his possession or keeping, by any
title whatsoever, any game, shall in each case and for
each offence be liable to the same penalty as if he had
unlawfully hunted the game of which he is in possession,
for the first offence; for the second offence, to double the
penalty inflicted for the first offence, and, failing imme-
diate payment of the fine and costs, to imprisonment for
not less than one month nor more than twelve months in
the common gaol of the district wherein the offence was
committed, or the sentence was pronounced, with costs in
all cases; and for the third or any subsequent offence, to
a fine of not less than one hundred dollars nor more than
five hundred dollars, for each offence, and per head of
game, and failing immediate payment of such fine and
costs, to imprisonment for not less than six months nor
more than twelve months.

One-half to The fine shall, in each case, belong one-half to the Crown
prosecutor. and one-half to the prosecutor; but that part of the fine
which is paid to the prosecutor shall in no case exceed five
Proviso. hundred dollars, and the balance shall belong to the Crown.
The Lieutenant-Governor in Council may, however, if
he deems just, increase the part which belongs to the
prosecutor.

"§ 7.—Proceedings as to Confiscations and Penalties

Prosecution **"2340. 1.** Every infringement of any of the provisions
how of this section is punishable summarily upon prosecution,
brought. which may be brought either by any inspector, game-
warden, or other officer, or by any other person, before any
justice of the peace having jurisdiction in the district in
which the offence was committed or in which the seizure
was effected or in which the offender resides.

Laws ap- 2. The provisions of Part XV of the Criminal Code
plicable. apply to all prosecutions brought or tried under this
section; nevertheless it shall not be necessary that the
evidence be taken in writing or by stenography.

General 3. For every offence for which a fine is not specially
provision enacted by any article of this section, and for every infrin-
as to fines.

gement of a regulation made by the Lieutenant-Governor in Council, the fine, over and above the costs, shall be not less than five dollars nor more than fifty dollars.

4. The justice of the peace shall, if he finds the proof sufficient, impose the fine, with costs, in every case where a fine is imposed under this section, which fine shall belong one-half to the Crown and one-half to the prosecutor, subject, however, to article 2339; and these provisions shall not authorize the justice of the peace to suspend sentence.

Imposition
and applica-
tion of fines.

Failing immediate payment of the fine and costs, the offender shall be imprisoned in the common gaol of the district within which the sentence was pronounced, for not less than fifteen days and not more than three months, in cases where no other term of imprisonment has been provided by this section or by the regulations made thereunder.

Imprison-
ment in de-
fault of pay-
ment.

Every justice of the peace shall have power to convict when he has himself witnessed the commission of the offence.

Conviction
on view.

5. When it is expedient to proceed without any delay against an accused, the justice of the peace may issue a writ of summons returnable immediately, ordering the accused to appear before him forthwith, or he may issue a warrant for the arrest of the accused.

Writ of
summons.

6. Seizures, confiscations and prosecutions shall be at the risk of the person who causes the same to be made or instituted.

Seizures, &c,
at risk of
prosecutor.

7. The justice of the peace must inform the Minister, within five days, of a conviction for an offence against the Game Laws or Regulations, of the sentence he has imposed, and the manner in which he has disposed of the fine, in accordance with article 3518 or 3520.

Justice of
Peace to in-
form Minis-
ter of con-
victions.

8. The Minister may at any time offer a reward, of not more than one hundred dollars, to any person who will give information sufficient to convict any person who has committed an offence against one of the provisions of this section.

Reward may
be offered.

"2341. There shall be a separate offence for each game animal or bird, or part thereof, illegally hunted, killed, taken or kept, and the fine may be imposed as many times as there are separate offences proved.

Separate
offences.

There may be included, in one complaint or summons, several offences committed by the same person, provided such complaint or such summons contains a special statement of the time and place of each offence. Judgment may be rendered for each offence, as if there had been a separate complaint for each.

May be
joined in one
complaint or
summons.

In what cases evocation by *certiorari* is permitted.

Effect of demand without certain formalities.

Decision of the court or judge.

No appeal.

Certiorari not to stay proceedings, unless certain deposit is made.

Deposit on application for writ of prohibition.

When application for *certiorari*, &c., may be made, &c.

"2342. 1. Unless, within eight days after the conviction, in any prosecution instituted under this section, the defendant deposits in the hands of the clerk of the justice of the peace who has found him guilty, the full amount of the fine and all costs, and a further sum of fifty dollars to secure the payment of such costs as may be subsequently incurred, no prosecution or conviction, shall be taken by *certiorari* to any court; and, on failure to comply with these requirements, the notice of application for *certiorari* shall not suspend, retard or affect the execution of such conviction.

2. The court or judge to whom such application is made, shall dispose of the same upon the merits, notwithstanding any variance between the information and the conviction or of any defect in form or substance therein, provided it appear by such conviction that the same was made for an offence against some provision of this section, within the jurisdiction of the justice of the peace who made or signed the same, and provided it further appear from such conviction that the appropriate penalty or punishment for such offence was intended to be thereby imposed; and, in all cases where it appears that the merits have been tried and that the conviction is valid under this section, such conviction shall not be quashed. If the original record is before the court or judge, it shall be remitted to the justice of the peace.

3. There shall be no appeal from such conviction to any court of sessions of the peace or to the Court of King's Bench.

4. The issuing of a writ of *certiorari* shall not stay the execution of the sentence of imprisonment against any person convicted for the third time of any offence against this section, unless a deposit of two hundred dollars is, without delay, made with the clerk of the justice of the peace, after the conviction; and such deposit shall belong to the Crown if the conviction is not set aside.

5. Any person, applying for a writ of prohibition in reference to anything done or sought to be done under this section, shall previously deposit with the prothonotary of the court before which the application is made, the sum of fifty dollars to secure the payment of the costs of the adverse party, in case the petition is dismissed.

The writ of *certiorari* or prohibition shall be applied for within eight days after the date of the conviction, and with such application the full amount of the fine and costs, in addition to the sum above-mentioned, must be deposited, and the proceedings thereupon shall be summary and from day to day.

"2343. 1. The Government of the Province shall not be responsible for any costs incurred on any prosecution brought under this section. Government not responsible for costs.

2. No prosecution shall be brought after twelve months from the day of the commission of the offence charged. Prescription of twelve months.

"§ 8.—Hunting Licenses

"2344. 1. No person shall hunt moose, caribou or deer unless he holds a special license issued by the Minister or by any person authorized by him. License required to hunt moose, &c.

The Lieutenant-Governor in Council may establish a tariff of fees for such licenses. Fees for licenses.

This provision shall not apply to any person domiciled in the Province, and who is a British subject, who hunts the animals mentioned in this article for his subsistence and that of his family, and does not deal in such game or any part thereof. However, if such person wishes to have any such game or part thereof transported by common carriers, he shall obtain the special license mentioned in this article. Proviso as to transport of game, &c.

2. No person domiciled in the Province, but not a British subject, may hunt therein, even on lands of which he is the owner, lessee or occupant, without obtaining a hunting license. Every such person found in possession of a gun or other hunting gear, without having obtained a hunting license, is liable, in addition to the payment of the costs, to a fine of not less than twenty-five dollars, nor more than fifty dollars, and, on failure to pay such fine and costs, to imprisonment for not more than three months. License required by aliens.

3. No person, not domiciled in the Province, may hunt therein even upon lands of which he is the owner, lessee or occupant, unless he holds a special license, on penalty, in addition to the payment of the costs, of a fine of not less than fifty dollars, nor more than seventy-five dollars, and, on failure to pay such fine and costs, of imprisonment for not more than three months. License required for persons not domiciled in the Province.

"2345. Every such license shall be issued by the Minister, or by any other person designated by him, upon payment of fees according to the tariff established by the Lieutenant-Governor in Council. By whom licenses are issued, &c., fee therefor.

The fee may be reduced if the license is issued to a member of any fish and game club, incorporated under the laws of the Province, and which has complied with the provisions of such laws; but on condition that such club is lessee of a hunting reserve in accordance with article 2353. Reduction of fee in certain cases.

What license
to contain.

"2346. 1. Every such license shall be personal; it must, in order to be valid, be endorsed with the signature of the person to whom it is issued; it shall be good for the hunting or shooting season for which it is issued, and shall confer upon the holder thereof the right to hunt or shoot the game to which it relates in the manner permitted by this section.

Privilege
conferred
by license.

The holder of the license shall at all reasonable times, when required, exhibit the same to any inspector, game-warden or other special officer, under penalty of the forfeiture of the license, and if it is established that the signature of the person to whom it has been issued has not been affixed as above mentioned, such license shall be confiscated and become null.

Exhibition of
license, &c.

2. Tags shall be attached to such license in accordance with the form approved by the Minister, and when the holder of the license wishes to ship a moose, deer or caribou, or any part thereof, he shall, in the presence of the station agent, wharfinger or other officer in charge of the shipping place, detach the tag from his license, sign it and attach it to the moose, deer or caribou or part thereof; and the station agent, wharfinger or other officer in charge of the shipping place must write the word "cancelled" across the tag, and initial the same.

Station
agents, &c.,
liable to
penalty in
certain case.

3. Every person, station agent, wharfinger or other officer in charge of the shipping place, who does not comply with the provisions of this article, or who accepts a tag which has already been used, shall be liable to a fine of not less than ten nor more than thirty dollars, and costs.

Illegal
transfer of
tag, &c., to
be an
offence.

4. Every person who sells, gives or otherwise transfers such license or any tag annexed thereto to another person, or who changes or alters the same in any way whatsoever, or who unlawfully obtains any license, shall be liable to a fine of not less than ten nor more than thirty dollars, and costs, and, on failure to pay such fine and costs, to imprisonment for not less than fifteen days nor more than one month.

"§ 9.—Hunting licenses for fur-bearing animals for commercial purposes

Declaration
to be sent
in.

"2347. Every person or association of persons carrying on business in the Province, either in his own name or through an agent, and every such agent, and every person engaged in the fur trade, who hunts or causes to be hunted, takes or causes to be taken, buys or causes to be bought any fur-bearing animals or any part thereof upon the territory of this Province, or who are either

actually engaged in such trade or intend to continue or to carry it on, are bound to send in to the Minister, or to one of his authorized officers, a declaration in writing of such intention, drawn up in accordance with the regulations established by the Department.

1. Such declaration must contain:

Contents
thereof.

a. The name of the person who desires to avail himself of these provisions, either as merchant or agent;

b. In the case of an association of persons, the name of the president, the secretary-treasurer and the other officers, and the address and domicile of each;

c. The principal place of business;

d. The situation of the warehouses, shops, posts, or *caches* in which the fur-bearing animals or their skins are or will be stored;

e. The places from which such furs are shipped out of the Province.

2. On receipt of such declaration and on payment of the sum of ten dollars for persons domiciled in the Province, and of fifty dollars for all other persons, the Minister may issue a license authorizing such person, association of persons, or agent, to hunt, cause to be hunted, buy or cause to be bought, take or cause to be taken, fur-bearing animals or any part thereof on the territory of this Province, the whole in accordance with law.

Issuing of
license.

3. Such license shall be renewable every year, and shall not be transferable, and, if lost or destroyed, it must be renewed.

4. Every person or association of persons carrying on business in the Province, either in his own name or through an agent, or any such agent, who hunts or causes to be hunted, buys or causes to be bought, or is found in possession of fur-bearing animals, or any part thereof, killed, or furs taken, on the territory of this Province, without having previously made the above declaration, and who is not the holder of a license as above set forth, shall be liable to a fine of one hundred dollars, as enacted by article 7442, which penalty may be recovered in the manner therein set forth.

Penalty for
failure to
make de-
claration.

5. Every person or association of persons whatsoever engaged in the fur trade who, in his own name or through an agent, or any such agent, who has hunted or caused to be hunted, bought or caused to be bought, or obtained in any way whatsoever, fur-bearing animals, or any part thereof, killed or taken on the territory of the Province, shall send a return before the tenth of each month to the Minister, of the number and species of skins and furs bought

Return to be
sent in by
persons
engaged in
fur trade.

during the preceding month, and the names and addresses of the persons from whom they were bought. Such returns shall be made on the forms prepared by the department.

Royalty to be paid.

6. Every such person, association of persons or agent, must pay to the Minister, for the privilege of hunting, killing or taking, or causing to be hunted, killed or taken, fur-bearing animals or any part thereof, under any provision of law, on the territory of the Province, a royalty to be fixed by the Lieutenant-Governor in Council on report of the Minister. Upon receipt of such royalty, an officer of the Department authorized for that purpose may affix a seal approved by the Minister, on each one of such skins; and every skin upon which no such seal appears shall be deemed to be illegally held.

Skins to be marked.

Provisions not to apply to certain persons on certain conditions.

7. The provisions of this article shall not apply to the hunter or trapper who actually hunts, provided the said hunter or trapper be domiciled and residing in the Province of Quebec, and be a British subject, and that he sells such furs to a person domiciled in the Province. If he wishes to sell outside the Province, he shall be bound to comply with the provisions respecting fur-traders.

“§ 10.—*Licenses to keep Wild Animals alive for Breeding Purposes*

Certain animals may be kept alive.

“**2348.** 1. The Minister may grant a license to any person, who, during the open season, takes any animals protected by this section, to keep them alive, except animals taken in virtue of article 2317.

Annual license.

Such license shall be annual, and must be renewed, upon expiry, by paying the fee fixed by the Minister.

Effect of license.

Every person who has thus obtained a license, may take alive, in his traps, fur-bearing animals, for raising and breeding purposes, the number of which must not be greater than the number mentioned in the license; but in no case shall he take any fur-bearing animal from any burrow or den by smoking or digging.

Return to be made to Minister.

2. Every person keeping fur-bearing animals in captivity under such license shall report to the Minister on or before the fifteenth of November in each year:

- a. the number of animals held in captivity;
- b. the number of animals sold, and the number which died during the year;
- c. the number and value of animals or pelts exported or carried out of the Province.

Penalty for failure to make return.

The animals so kept alive shall, on failure to make such return, be liable to seizure and confiscation in accordance

with the usual formalities, as if they had been hunted and taken during the close season.

3. Any inspector, game-warden or special officer may, Inspection under the authority of the department, inspect any place by officers. where animals are kept in captivity under this article.

The Minister may, at any time, when good reason exists Cancellation of license. for so doing, cancel any license or permit issued under this article.

4. Every person who exports from this Province any fur-bearing animal so kept in captivity, without paying the Royalty on export. royalty imposed, shall be liable to the penalty fixed by article 2320.

"2349. 1. Every one is guilty of an offence and liable Trespass on ranch, &c., where foxes are kept. to the penalty hereinafter provided, who, without the consent of the owner or caretaker of a ranch or enclosure where foxes or other fur-bearing animals are kept in captivity for breeding purposes, approaches or enters upon the private grounds of the owner or owners of the said animals within a distance of twenty-five yards from the outer fence or enclosure within which the pens or dens of the said animals are located, and upon which said fence or enclosure notices forbidding trespassing on the said premises are kept posted, so as to be plainly discernible at the said distance of not less than twenty-five yards.

Nevertheless it shall not be an offence for any neighbouring proprietor or occupant to approach within such distance to do work required or imposed by law or by any municipal by-law. Proviso.

2. Any person convicted of an offence against paragraph Penalty. 1 of this article, shall be liable, in addition to the payment of the costs, to a fine of not less than five nor more than fifty dollars, and, on failure to pay such fine and costs, to imprisonment for a term of not less than one month nor more than three months.

3. Every one is guilty of an offence and liable to the penalty hereafter provided, who, without the consent of the owner or caretaker of any enclosure within which foxes or other fur-bearing animals are kept for breeding purposes, and on the outer fence of which enclosure are kept posted notices forbidding trespassing on the premises where the said animals are kept, and plainly discernible at a distance of not less than twenty-five yards therefrom, passes within the said fence or such enclosure or climbs over, breaks or cuts through the same for the purpose of entering the said enclosure, or for any other purpose whatever. Certain other trespasses.

4. Any person convicted of an offence against paragraph Penalty. 3 of this article shall be liable, in addition to the payment

of the costs, to a fine not less than fifty nor more than one hundred dollars, and, on failure to pay the said fine and costs, to imprisonment for not less than two months nor more than six months.

Killing of
dogs in cer-
tain cases.

5. Any care-taker may kill any dog wandering in the neighborhood of any enclosure in which foxes or other fur-bearing animals are kept for breeding purposes, and there giving tongue or otherwise terrifying such animals, provided, however, that the dog so killed is neither muzzled nor accompanied by the owner or by a person having charge or care of such dog.

“§ 11.—*Cold Storage Licenses*

Granting of
cold storage
license.

“**2350.** 1. The Minister may, upon payment of a fee according to a tariff established by the Lieutenant-Governor in Council, grant to any person keeping a cold storage warehouse, or to any hotel or restaurant keeper, or to any club, an annual license permitting the keeping in such cold storage warehouse or in refrigerators, during the close season, of game to be used as food, and, in addition, in the case of a hotel, restaurant or club, to serve for consumption therein, during the close season, any game the sale of which is not prohibited under this section; provided that in all such cases the game has been lawfully taken or killed during the open season.

Application.

The application for the license must be in writing, and must contain a description of the place in which such game is to be stored.

Contents of
license.

The license shall describe the place for which it is granted, give the name and address of the person licensed, specify the year for which it is issued, and be signed by the Minister and countersigned by any officer authorized by the Minister.

Prohibition.

2. Every person licensed under this article is prohibited from receiving, after the end of the fifteenth day following the beginning of the close season, any game for the purpose of putting it in cold storage or of selling it for consumption under this article.

Sworn state-
ment.

Every person licensed under this article shall, within eight days after the fifteenth day from the beginning of the close season, send to the Department a sworn statement in duplicate of the quantity and species of game he has in his cold-storage warehouses or refrigerators, and the names and addresses of the persons who have deposited the same.

Inspection
by officers.

3. Every inspector, game-warden or other special officer authorized by the Minister may, at reasonable hours,

inspect such warehouses and refrigerators, and seize therein any game he has reason to believe to have been taken or killed during the close season, or by any unlawful means, or to have been received after the fifteenth day following the beginning of the close season, and bring it before a justice of the peace, who, if the law has been infringed, shall declare the whole or part thereof confiscated for the benefit of the Province.

4. The proof that game stored or sold for consumption under this article was lawfully killed or taken during the open season, or that it has not been received for storage or for sale or consumption after the fifteenth day following the beginning of the close season, shall be upon and at the expense of the person keeping the cold storage warehouse, or of the proprietor of the hotel or restaurant, or of the club, in which the game is found. ^{Burden of proof.}

5. Every receptacle containing game shall bear a label where it may be easily seen, indicating the date of the deposit, the name of the person who deposited it for storage, and a description of the contents, as well as the nature and quantity of the game. The same shall apply also to any person who has game stored in any part of a cold storage warehouse, even in the case where he has a rented compartment. ^{Receptacles to be labelled.}

6. Every person receiving game for storage or for sale or consumption, or storing game, contrary to the provisions of this article, shall be liable, in addition to the payment of the costs, to a fine of not less than twenty-five nor more than one hundred dollars, and, on failure to pay such fine and costs, to imprisonment for not more than three months. ^{Penalties.}

“§ 12.—*Licenses for tanning, dyeing and glossing furs*

“**2351.** 1. The Minister may issue a license to any person who receives furs or skins to be tanned, unhaired, fleshed, plucked, dressed, dyed or to undergo any other operation connected with the preparation of pelts, on payment of a fee of one dollar. Such license shall be renewable each year on payment of the same fee. ^{Granting of license for tanning, &c.}

The holder of every such license shall, on or before the first of December in each year, make a return of the number and species of animals, or parts thereof, protected by this section, and which he has had to treat, in the course of his business, as well as the name and address of every person who has entrusted him with such animal or part thereof. ^{Return.}

2. The holder of every such license must keep a book, in ^{Book to be kept.}

Contents. which he shall enter the date of receipt of such furs or skins, the name and address of every person from whom he has received them to be so worked, tanned or prepared, so as to manufacture them into furs.

Penalty. Every person who thus receives skins to be dressed or prepared, by any title whatsoever, without such license, or who contravenes any provision of this section, shall be liable, in addition to the payment of the costs, to a fine of not more than twenty-five dollars, or, on failure to pay such fine and costs, to imprisonment for not more than one month.

“§ 13.—*Licenses for Scientific Purposes*

For scientific purposes. “**2352.** The Minister may grant a license to any person *bona fide* desirous of obtaining, during the close season, birds, eggs or fur-bearing or other animals for scientific purposes.

Fee to be paid. Every person not domiciled in the Province shall, for such license, pay a fee which shall be not less than five dollars nor more than twenty-five dollars, to be determined by the Minister according to the number and importance of the objects such license is applied for. Such license shall be annual, and renewable at its expiry; it is not transferable.

Declaration to be filed. Every such licensee, in order to be protected by his license, must, at the expiration thereof, file in the Department, a solemn declaration setting forth the species and number of birds, eggs and fur-bearing or other animals so procured by him for scientific purposes.

“§ 14.—*Hunting Territories and Leases*

Hunting territories. “**2353.** 1. From and out of the public lands remote from any settlements, the Lieutenant-Governor in Council may, upon the recommendation of the Minister, erect hunting territories, which shall in no case exceed two hundred square miles each, provided such lands are not subdivided into lots or are unfit for cultivation.

Leases. The Minister may lease, either by auction or by private agreement, any such hunting territory to one or more persons for not more than ten years, for an annual sum of not less than three dollars per square mile, agreed upon between him and the lessee or lessees, payable in advance, under pain of the forfeiture of the lease.

Contents. The Minister may insert, in any such lease, the clauses and stipulations deemed necessary in the public interest.

Effect of lease. 2. The lease shall confer upon the lessee, for the time

therein determined, the exclusive right to hunt in such leased lands, subject to the regulations, laws and fees in force, and also to prosecute in his own name any offender against any provision of this section, and to recover damages, if any, but not against any person who may pass over such lands or who engages in any occupation not inconsistent with the provisions of this section, nor against the holder of a license to cut timber, who shall at all times, in accordance with his license, have the right to cut and remove trees, lumber and saw-logs and other timber within the limits of his license, and, during the term thereof, to make use of any floatable river or water-course or any lake, pond, or other body of water and the banks thereof for the conveyance of all kinds of lumber, and for the passing of all boats, ferries or canoes required therefor, subject to the charge of repairing all damages resulting from the exercise of such right.

3. The lease shall not prevent the holder of the timber license from doing, with the approval of the Lieutenant-Governor in Council and on the conditions that he may impose, and under the direction of the department, the necessary work in connection with the floating of timber on all lands, lakes or rivers leased to persons or clubs for hunting or fishing purposes. Rights of holder of timber license.

4. If any person, without the permission of the lessee or his representatives, hunts or causes any other person to hunt, or assists him in hunting on the lands leased, he shall not acquire any right to the game so killed or taken, nor to any part thereof, which may be confiscated and shall then become the absolute property of the lessee if the game has been killed or taken during the open season; and such person shall be liable therefor, in addition to the payment of the costs, to a fine of not less than twenty dollars nor more than one hundred dollars, or, on failure to pay such fine and costs, to imprisonment for not less than one month nor more than six months. Game killed not to belong to poachers.

"2354. If the Minister be satisfied that any lessee of any hunting territory has been guilty of any infringement of the game laws or regulations in this Province, or has violated or neglected to comply with any of the conditions of his lease, or refuses to comply therewith in the future, he may cancel such lease; and such cancellation shall include the full and complete confiscation of all improvements made and existing on the land therein mentioned, as well as of all the camps, houses, ice-houses, dependencies of every kind, furnishings, boats, and all other articles capable of being used for hunting purposes; Cancellation of lease in certain case.

but the Minister may nevertheless grant such reimbursement or indemnity therefor as to him may seem just and equitable.

“§ 15.—*Officers*”

Appointment of officers.

“**2355.** For the purpose of specially ensuring the carrying out of this section, and of all other laws relating to game which may be passed for this Province, there shall be appointed by the Lieutenant-Governor in Council two special officers, one of whom shall be called “game superintendent-general,” and the other “game inspector-general.”

Jurisdiction of officers.

The said two officers, shall, for the purposes of this section, be *ex officio* justices of the peace, with jurisdiction over the whole Province, and they shall further have all the powers conferred by this section upon inspectors, game-wardens and other special officers.

Other officers.

“**2356.** The Minister may also appoint persons to see to the observance of this section and of any law which may be passed relating to game in this Province, and may assign them any territory or division which he may, under the circumstances, deem advisable.

Titles, &c.

Such persons shall be called inspectors, game-wardens or special officers; and the Minister may, in certain cases, restrict, as far as they are concerned, and also as far as other officers under his control are concerned, the powers conferred upon them by this section.

Must be sworn.

Such inspectors, game-wardens and special officers shall, before assuming office, be sworn, according to Form C, before a justice of the peace.

Ex officio game-wardens.

“**2357.** Every Crown land agent or Crown timber agent, every forest-ranger, superintendent, fire-ranger, and every officer of the provincial police and every revenue officer, shall, while in office as such, be *ex officio* a game-warden for the division under his respective superintendence, and shall not be entitled to any additional salary for such service.

The Minister may also appoint such local game-wardens as he deems necessary, and they shall not be entitled to any salary for such service.

Return to Minister, and what to contain.

“**2358.** Every inspector and game-warden shall, at least once every two months, send to the Department a report of his proceedings during the previous two months, as well as of all infringements of the game laws that have come to his knowledge during the same period.

"2358a. Every game-warden, special officer or club guardian who aids in any way whatsoever, or himself commits, either alone or with others, an infringement of the game or fishery laws or regulations in this Province, shall be guilty of an offence, and liable, over and above any penalty he may incur under any other provision, and the payment of the costs, to a fine of not more than one hundred dollars, and, on failure to pay such fine and costs, to imprisonment for not more than three months. Offence by officer, &c.

"2358b. Every game-warden has the powers of a constable in so far as concerns the enforcement of the provisions of the Quebec Game Laws and the regulations made thereunder. Powers of game-warden.

Every game-warden has power to arrest any offender against any provision of this section, or any regulation made thereunder, whom he catches in the act, and to bring him before a justice of the peace within a reasonable delay.

"2358c. Every game-warden, inspector, special officer or club guardian ceasing to hold office must send in to the Minister every badge of office within a delay of fifteen days from the date of his so ceasing to hold office, and, on his failure to do so within the said delay, be shall be liable, in addition to the payment of the costs, to a fine of not more than fifty dollars, and, on failure to pay such fine and costs, to imprisonment for not more than one month. Badge of office to be sent in on ceasing to hold office.

He shall be liable to the same penalty if he continues to use the said badge. Penalty.

"§ 16.—*Destruction of Wolves*

"2358d. The Minister may pay, out of the revenues derived from the carrying out of this section, a sum of fifteen dollars, to any inhabitant of the Province, who presents to him a certificate from a justice of the peace of any judicial district establishing that such person has proved to his satisfaction, on oath, that he has killed a wolf in such district, and has shown him the wolf or the wolf's head with the scalp and ears entire, and that such justice of the peace, before granting the certificate, has caused the ears and scalp to be cut off the wolf's head and burned. Bounty for killing wolves, and how obtained.

"§ 17.—*Regulations*

"2358e. The Lieutenant-Governor in Council may Rules and

regulations may be made by Lieutenant-Governor. make, amend and repeal regulations for the following purposes:

1. To prohibit the hunting or killing of any game, for a period of not more than five years;

2. To prohibit, for a term of not more than three years, the sale, the offering for sale or the keeping for sale, of any game, or to prolong, for a similar time, the prohibition to sell, offer for sale or keep for sale, any game of which the sale, exposing for sale or the keeping for sale is prohibited by any provision of law;

3. To amend or repeal existing forms and make others, which he may likewise amend or repeal;

4. For any other purpose not inconsistent with this section.

Such regulations shall come into force from and after the date of their publication in the *Quebec Official Gazette*."

3 Geo. V, c. 45, repealed. **2.** The act 3 George V, chapter 45, is repealed.

Regulations to remain in force. **3.** The regulations made under the authority of the section replaced by section 1 of this act shall remain in full force and effect until amended or repealed under the authority of the section enacted by section 1 of this act.

Forms enacted. **4.** The forms contained in the Schedule to this act shall replace the forms following article 2358 of the Revised Statutes, 1909.

Application of act. **5.** This act shall not apply to pending cases; nevertheless, any conviction for an offence against any provision repealed or replaced by this act, shall be considered as a conviction for a similar offence against the provisions of this act.

Coming into force. **6.** This act shall come into force on the day of its sanction.

SCHEDULE

FORMS

A.—(*Article 2332*)*Information for Search Warrant*

I, _____, undersigned, inspector, (game-warden, or special officer authorized by the Minister of Colonization, Mines and Fisheries, *as the case may be*) for

_____, do hereby declare that I have reason to suspect and I do suspect that game, killed or taken, during the close season, (or furs, peltries or skins, out of season, &c., &c., *as the case may be*) is (or are) at present held and concealed (*describe the property, occupant, and the place, &c.*)

Wherefore I pray that a warrant may be granted and given to me to effect the necessary searches in (*describe here the property, &c., as above*).

Sworn before me, at this _____ day of _____ 19____ L. B., J. P.	}	X. Y., Inspector, (game-keeper or special officer authorized by the Minister of Colo- nization, Mines and Fish- eries, <i>as the case may</i> <i>be</i>).
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B.—(*Article 2332*)*Search Warrant*

Province of Quebec,)
 County of _____ .)

To each and every the constables of
 _____ county of _____

Whereas _____, inspector, (game-warden or special officer authorized by the Minister of Colonization, Mines and Fisheries, *as the case may be*) for

_____, has this day declared on oath before me, the undersigned, that he has reason to suspect and does suspect that game, killed or taken during the close season, (or furs,

peltries or skins illegally held, &c., as the case may be) is (or are) at present held and concealed in (*describe the property, occupant and the place, &c.*)

Therefore, you are commanded by these presents, in the name of His Majesty, to assist the said

, inspector, (game-keeper or special officer authorized by the Minister of Colonization, Mines and Fisheries, as the case may be) and to diligently help him to make the necessary searches to find the (*state the game taken or killed during the close season, or furs or skins or peltries illegally held, &c.,*) which he has reason to suspect and does suspect to be held and concealed in (*describe the property, &c., as above*), and to deliver, if need there be, the said (game, &c., as the case may be) to the said

, inspector, (game-warden, or special officer authorized by the said Minister, as the case may be) to be by him brought before me or before any other magistrate, to be dealt with according to law.

Given under my hand and seal, at _____, county of _____,
this _____ day of _____ 19 _____.

L. B.,
J. P.

C.—(*Article 2356*)

Oath of Inspector, Game-Warden or Special Officer,
(as the case may be)

I, the undersigned inspector, (game-warden or special officer authorized by the Minister of Colonization, Mines and Fisheries, as the case may be) for _____, do swear that I will perform the duties of my office faithfully and to the best of my ability, in accordance with the game laws and regulations in force in this Province; and I further swear that I will not reveal or disclose, unless duly authorized, anything that may come to my knowledge in the discharge of my duties: So help me God.

Sworn before me, at _____,
this _____ day of _____, 19 _____.

X. Y.,

A. B.,
J. P.

Inspector, (game-warden
or special officer.)
