

chapter 8, section 8, 4 Edward VII, chapter 15, section 1, and 5 Edward VII, chapter 12, section 11, is further amended by adding after the word: "wood" in the sixth line, the words: "and fire".

Coming into force.

11. This act shall come into force on the day of its sanction.

CHAP. 16

An Act to amend the act establishing the Laurentides National Park

[Assented to 9th March, 1906]

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

Sec. added to 58 V., c. 22, after sec. 4.

Application of id., s. 4, to certain provisions.

1. The act 58 Victoria, chapter 22, is amended by adding, after section 4, the following:

"**4a.** The provisions of any general or special act authorizing the taking possession of any part of the Laurentides National Park or the construction of any works within the limits thereof, are subject to the application of section 4 of this act."

Coming into force.

2. This act shall come into force on the day of its sanction.

CHAP. 17

An Act to establish the Gaspesian Forest, Fish and Game Preserve

[Assented to 9th March, 1906]

Preamble.

WHEREAS it is desirable and expedient that a certain part of the unsurveyed and ungranted lands of the Crown in the Peninsula of Gaspé be erected into a forest reserve with the view of the preservation of the forest whilst permitting the cutting of timber as provided for by the regulations, thus ensuring the maintenance of natural irrigation as it at present exists and which is necessary to the most successful preservation of the agricultural industry and for the production and perpetuation of the fish and game in the said region;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The territory lying partly in the county of Matane and partly in the county of Gaspé, described as follows: Certain territory withdrawn from sale, and certain order in council confirmed.

“Commencing on the division line between the county of Matane and the county of Bonaventure at the intersection of the 67th meridian of east longitude with the rear line of the county of Bonaventure; thence along the said rear line of the county of Bonaventure, and the continuation thereof on the same bearing to the 65th meridian of east longitude at Lake Edward in the county of Gaspé; thence north along the said 65th meridian to the 49th parallel of north latitude; thence west along the said 49th parallel to its intersection with the rear line of the township of Cape Chat; thence following the rear lines of the townships of Romieu, Dalibaire and Cherbourg in the county of Matane to the 67th meridian aforesaid; thence south along the said 67th meridian to the place of beginning; comprising an area of about 2,500 square miles, more or less,” as set apart as a forest reserve by order in council of the 28th April, 1905, is withdrawn from sale and occupancy, except as hereinafter provided; and the said order in council, schedule of this act, is confirmed.

2. The said territory is set apart as a forest reservation, fish and game preserve, public park and pleasure ground, under the control of the Minister of Lands and Forests for the people of the Province, subject to the provisions of this act and the regulations to be made thereunder, and is further subject to the control of the Minister of Colonization, Mines and Fisheries in so far as hunting and fishing therein are concerned, and shall be known as the: “Gaspesian Forest, Fish and Game Preserve.” Territory set apart as a preserve. Name.

3. The Lieutenant-Governor in Council may add to the preserve any adjoining Crown lands which have not been conceded. Power to add to preserve.

4. No person shall, except under lease, license or permit, locate, settle upon, use or occupy any portion of the said preserve, nor shall any lease, license or permit be made, granted or issued which will in any way impair the usefulness of the preserve. Settlement therein prohibited.

5. The provisions of any general or special act authorizing the taking possession of any part of the Gaspesian Forest, Fish and Game Preserve or the construction of any works Provisions of certain acts, subject to application

of preceding section.

within the limits thereof, are subject to the application of the preceding section.

Appointment of superintendent.

6. The Lieutenant-Governor in Council may appoint a superintendent for carrying out the provisions of this act and the regulations thereunder.

Appointment of officers.

The wardens, rangers and other necessary officers shall be appointed by the Minister of Lands and Forests, or the Minister of Colonization, Mines and Fisheries, as the case may be.

Power of Lieutenant-Governor in Council to make regulations for certain purposes.

7. The Lieutenant-Governor in Council may make, amend and revoke regulations for the following purposes:

a. The management, preservation, care and improvement of the preserve and of the water-courses, lakes, trees and shrubbery, minerals, natural curiosities and other matters therein;

b. The prevention and extinction of fires;

c. The preservation and protection of the fish, game, wild birds generally, and all animals in the preserve, and the destruction of wolves, bears and other noxious, injurious or destructive animals;

d. The powers and duties of the superintendent, wardens, rangers and other necessary officers, and the salary and other remuneration to be allowed them out of any moneys which may be set apart for the purpose;

e. The removal and exclusion of trespassers, and the confiscation or destruction of guns or other firearms or explosives, traps, nets, spears or other weapons or implements for hunting or fishing found within the limits of the preserve without proper authority;

f. The issuing of licenses for shops and for houses for the accommodation of visitors and places where trade and industries, necessary for the accommodation of persons resorting to the preserve, may be carried on;

g. The issuing of licenses to cut timber within the limits of the preserve in respect of timber berths heretofore sold, and for the improvement of the preserve, and for fire-wood for the use of persons engaged in and about the preserve;

h. The working of mines and the developing of mining interests within the limits of the preserve, and the issuing of licenses or permits of occupation for such purpose, and for exploring or prospecting for mines and minerals;

i. The lease for any term of years of such parcels of land in the preserve as he deems advisable for the construction of dwelling-houses and such other buildings as may be necessary for the accommodation of visitors or persons resorting to the preserve;

j. And, generally, all purposes necessary to carry this act into effect.

All such regulations shall be published twice in the *Quebec Official Gazette*, and shall, thereafter, have force of law. Publication of regulations.

8. Any person violating any provision of this act or any of the regulations made thereunder, shall be liable to a penalty of not less than five dollars and not more than fifty dollars, with costs, and, in default of payment thereof, to imprisonment for a period of not less than one month, nor more than three months, with or without hard labor. Penalty for infringing law or regulations.

9. No person shall fish within the waters or hunt within the limits of the preserve, without a license granted by the Minister of Colonization, Mines and Fisheries or by a person by him appointed for that purpose, under the penalty provided for by section 8 of this act. Fishing, &c., without license prohibited.

10. The superintendent or any preserve ranger or constable may, on view and without warrant, arrest and bring before a justice of the peace, or before the superintendent, to be dealt with according to law, or may arrest and remove from the limits of the preserve any person found violating the provisions of this act or the regulations made thereunder. Arrest and removal of offenders.

11. All nets, traps, spears, firearms, explosives, weapons or instruments, seized under the regulations made under this act and confiscated, shall be sold, and the proceeds thereof, after deducting the necessary expenses, shall be applied as hereinafter provided. Destruction of nets, &c.

12. No timber or wood shall be felled or cut within the limits of the preserve, except under the authority of a timber license issued under the provisions of the law relating to woods and forests or any regulations thereunder, or by the authority of the Minister of Lands and Forests or under the regulations for the government of the preserve. Cutting of timber.

13. A license to cut timber upon any lands being part of the preserve shall not entitle the holder thereof to exclusive possession of such land or territory as against the Crown or the agents or servants thereof, nor shall any such license exempt the holder thereof, his agents or servants, from the prohibitions relating to fishing, hunting and the carrying and using of firearms within the limits of the preserve. Rights of licensee not to comprise infringing regulations respecting preserve.

14. Mining exploration or prospecting for minerals within the preserve is prohibited, except in accordance with the regulations to be made in that behalf. Mining, &c. prohibited except under regulations.

Sale of
liquors, pro-
hibited, &c.,

15. No license for the sale of intoxicating liquors within the preserve shall be issued; and any intoxicating liquor found within the limits of the preserve and held for the purpose of sale contrary to the provisions of the Quebec License Law may be seized and destroyed by any preserve ranger or by any constable or collector of provincial revenue having authority, and the said rangers shall have all the powers and authority of a collector of provincial revenue for the purpose of enforcing the provisions of the Quebec License Law and the provisions of this act therein.

Certain stat-
utes to ap-
ply to pre-
serve.

16. Nothing herein contained shall withdraw the said territory comprising the preserve nor that within a mile from any part thereof from the operation of the Revised Statutes respecting fisheries and the game laws, except where it is otherwise provided.

Damages
suffered may
be collected
from offend-
ers.

17. In addition to any penalty provided by this act or by the regulations made thereunder, the offender shall be liable for all damages caused by him, and the same may be recovered in any court of competent jurisdiction.

Territorial
jurisdiction
of superin-
tendent.

18. The superintendent shall, within the limits of the said preserve and for one mile from any part thereof, for the purposes of enforcing law and order and the provisions of this act, and of any regulations which may be made by virtue thereof, have all the powers, rights and privileges of a police magistrate.

Place of im-
prisonment
of offenders.

19. Any person arrested for violation of any of the provisions of this act, or of any regulations made thereunder, punishable upon summary conviction by a justice of the peace or the superintendent, may, either before or after conviction, be imprisoned in the common gaol or any lock-up within the district of Rimouski or Gaspé, whichever may to the justice or superintendent appear to be the most convenient.

Complainant
competent
witness, &c.

20. Upon the hearing of any information or complaint made under this act or under the regulations thereunder, the person giving the information or complaint shall be a competent witness, notwithstanding such person may be entitled to part of the pecuniary penalty on the conviction of the offender, and the defendant shall also be a competent and compellable witness.

Before whom
prosecutions
are brought.

21. All prosecutions for the punishment of any offence under this act, not otherwise provided for, may take place before any police magistrate, or one or more of justices of the peace, or before the superintendent.

22. One-half of every fine or penalty imposed by virtue of this act shall belong to His Majesty, and may be devoted towards paying the expenses incurred in carrying out its provisions, and the other half thereof, when collected, shall be paid over to the prosecutor or informant, together with any costs which he may have incurred and which may be collected. The superintendent, rangers or other employees of the preserve shall not be entitled to any share of any fine or penalty.

Application of penalty.

Superintendent, &c., not to share in penalty.

23. The provisions and the forms of the Criminal Code, 1892, respecting summary convictions, shall govern prosecutions and proceedings under this act, in so far as applicable.

Law to apply to prosecutions.

24. All revenue derived from the issue of licenses and permits, and the granting of leases under this act, shall be paid into a special fund and be applied to paying the expenses incurred in carrying out its provisions; and, until such fund is sufficient, a sum of three thousand dollars per annum is appropriated for any expenditure which may be incurred by the Minister of Lands and Forests therefor.

Application of revenues.

Certain sum granted for expenses of preserve.

25. This act shall not affect any rights under any timber license or leases to any person or to any fish or game club.

Rights not affected.

26. This act shall come into force on the day of its sanction.

Coming into force.

SCHEDULE

COPY of a report of a Committee of the Honorable the Executive Council, dated the twenty-seventh of April, one thousand nine hundred and five, approved by the Lieutenant-Governor on the twenty-eighth of April, one thousand nine hundred and five

No. 255.

On the setting apart of a portion of the Peninsula of Gaspé as a Forest Reserve under the act 4 Edward VII, chapter 13, section 7

The Honorable the Minister of Lands, Mines and Fisheries, in a report dated the twenty-seventh of April, (1905), sets forth:

That it is desirable and expedient that a certain part of

the unsurveyed and ungranted lands of the Crown in the Peninsula of Gaspé be erected into a Forest Reserve, with the following object in view, viz:—the preservation of the forests, whilst permitting the cutting of timber as provided for by the regulations now or hereafter in force, thus insuring the maintenance of natural irrigation as exists at present and which is necessary to the most successful prosecution of the agricultural industry, and for the protection and perpetuation of the fish and game in said region;

That such reserves as herein described have been established on a large scale in the neighboring Provinces and in the United States and are continually being enlarged and added to, and that where such reserves have been created years ago, the results have already been found productive of good to the public at large;

That the territory in question is bounded as follows:

“Commencing at the intersection of the 67th meridian, thence along the rear line of Bonaventure county; thence on the same bearing to the 65th meridian at Lake Edward; thence north along the 65th meridian to the 49th parallel; thence west along the 49th parallel to the intersection with rear line of township Cap Chat; thence following rear line of townships Romieu, Dalibaire and Cherbourg to the 67th meridian; thence south along the 67th meridian to the place of beginning, comprising an area of about 2,500 square miles, more or less;”

That the territory above described is eminently adapted for the purpose stated, being largely unfit for settlement, numerous large and important rivers taking their rise therein, and being well stocked with fish and game, all of which it is in the public interest to protect;

Therefore the Honorable the Minister recommends that the above described territory be set apart as a Forest Reserve, under the name of “The Gaspesian Forest Reserve,” in conformity with the provisions of the act 4 Edward VII, chapter 13, section 7.

Certified,

GUSTAVE GRENIER,
Clerk of the Executive Council.
