

CAP. XXI.

An act to amend and consolidate the game laws, in this province.

[Assented to 28th December, 1876.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. No elk, moose, caribou, deer, or their fawn, or hare shall be hunted, taken or killed between the first day of February and the first day of September in any year. Elk, moose, caribou, deer or hare.

2. No grouse, ptarmigan, partridge, woodcock or snipe shall be shot at, hunted, taken or killed between the first day of March and the first day of September in any year. Grouse, ptarmigan, partridge, woodcock, snipe.

3. No person shall fire at, hunt, take, kill or destroy any wild swan, wild goose, or any kind of wild duck, sea duck, widgeon or teal, between the first day of May and the first day of September, in any year, in that part of the province west of the city of Three Rivers, nor between the fifteenth day of the month of May and the first day of the month of September in any year, to the east of that town. Wild swan, wild goose, wild duck, widgeon, teal.

Nevertheless in that part of the province to the east of the place known as the "Brandy Pots," in the river St. Lawrence, the inhabitants may between the fifteenth day of the month of May and the first day of September in each year, hunt, take or kill for food only, any of the animals mentioned in this section. Exception for food, in a certain portion of the province.

4. No woodcock, snipe, wild swan, wild goose, or wild duck of any kind, or sea duck or teal shall at any time be shot at, hunted, taken or killed between one hour after sunset and one hour before sunrise. Hunting wild swan, etc., prohibited one hour after sunset, &c.

5. No animal or bird, named in the foregoing sections, except hares, shall be taken or killed at any time by means of any rope, snare, spring, cage, net or trap of any kind. Trapping certain birds prohibited.

No engine shall be, at any time for such purpose placed, constructed, erected or set, either wholly or in part; and any person finding any engine so placed, constructed, erected or set, may take possession of or destroy the same.

6. No person shall at any time disturb, injure, gather or take the eggs of any species of wild fowl; and all vessels or boats employed in disturbing, gathering or taking the Egg of wild fowl.

eggs of any species of wild fowl, may, as well as the eggs, be confiscated and sold.

Wild cat,
martin,
pekan, mink.

7. No wild cat, martin or pekan shall be hunted, trapped or killed, between the fifteenth day of April and the first day of November, and no mink between the fifteenth day of April and the fifteenth day of October, in each year.

Otter.

8. No person shall hunt, trap or kill :

1. Any otter between the first of May and the first of October in each year ;

Beaver

2. Any beaver between the thirtieth of April and the first of September in each year ;

Musk-rat.

3. No musk-rat between the first of June in each year and the first of April following, for the districts of Quebec, Saguenay, Chicoutimi, Montmagny, Kamouraska, Rimouski and Gaspé, and between the first of May of each year and the first of April following, for the remainder of the province.

Certain
poisons or
spring-guns
prohibited.

9. No person shall at any time use or employ strychnine or other deleterious poison, either mineral or vegetable, nor any spring-gun, to hunt, take, kill or destroy any animal whatever.

Game keepers
to seize, etc.

10. Every game-keeper appointed by the commissioner of crown lands shall forthwith seize all animals or birds mentioned in the preceding sections, or any portion of such animals or birds, found by him in the possession or custody of any person during any forbidden period, and which appear to him to have been taken or killed during such period, or by any of the illegal means set forth in sections 5 and 9 of this act ; and he shall bring them before any justice of the peace, who shall declare them confiscated either in whole or in part.

Confiscation.

Property of.

All animals or birds, or portions of animals or birds so confiscated shall belong to the game-keeper.

Certain birds
or animals,
not to be had
in possession.

11. No person shall have in his possession, custody or care, any animal or bird already mentioned, or any part of such animal or bird, with the exception of the skin, during the period in which by the act the killing thereof is prohibited, or which appears to have been taken or killed by any of the means forbidden by this act ; but every such animal or bird, or any portion or portions thereof, may be bought or sold, (when lawfully taken), during fourteen days, to be computed from the expiration of the various periods respectively fixed by this act for the killing thereof.

Sale per-
mitted 14
days after
prohibition.

12. Every such game-keeper may cause to be opened Powers of game keeper. or may himself open, in case of refusal, any bag, parcel, chest, box, trunk or other receptacle, in which he has reason to believe that game killed or taken during the close season, or peltries out of season, are hidden.

13. Every offence against any of the provisions of this act, shall be punishable by a fine not exceeding fifty dollars Fine; recoverable. and recoverable summarily on information, or on summons only issued by a justice of the peace.

Such justice of the peace, on the proof which shall be thereof made may impose the penalty, with costs, and such penalty shall belong to the informer.

In default of immediate payment, the offender shall be imprisoned in the common gaol of the district within the limits of which the offence was committed, for any period of time not exceeding three months. Imprisonment in default of payment.

Every magistrate shall have power to convict on view. Conviction on view.

14. Suits brought in virtue of this act need not be begun by deposition or information on oath of the plaintiff or complainant, provided always that the purport of the complaint or demand is sufficiently set forth in the writ or in a declaration annexed thereto. Information on oath, not required.

The evidence of the complainant alone, or of any one witness, shall be sufficient to support a conviction. Proof.

15. No proceeding under this act shall be quashed, annulled or set aside by *certiorari*; but an appeal may be brought before the circuit court of the district in which the offence took place, in the same manner as appeals under the municipal code. Certiorari not to be allowed. Appeal to circuit court.

16. No prosecution shall be brought after twelve calendar months from the day of the committing of the offence charged. Prescription of suits.

17. The commissioner of crown lands may appoint officers to superintend the execution of this act, and of any other act which may be hereafter passed respecting game in this province. Officers to be appointed by C. C. L.

18. The commissioner of crown lands or any person by him thereunto empowered, may grant written permissions to all persons, desirous *bona fide* of procuring birds, eggs or fur-bearing animals, for scientific purposes, during the close season; and the person who shall have obtained such permission shall not be liable to any penalty imposed by this act, provided that he produce, within two months next after the period in which he shall have hunted under such permission, a statement under oath specifying Permit to hunt during close season.

the kind and quantity of game or fur-bearing animals, taken by him for such scientific objects.

Acts repealed.

19. All acts and parts of acts respecting game in this province are repealed.

Act in force.

20. This act shall come into force immediately after the sanction thereof.

C A P . X X I I .

An act to further amend the laws concerning Public Instruction, in this province.

[Assented to 28th December, 1876.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Interpretation :

"Schools,"
"Common
Schools," Pu-
blic Schools."

1. The expressions "Schools," "Common Schools" or "Public Schools" used in Chapter 15 of the Consolidated Statutes for Lower Canada, and in each and every the Acts amending the same, always included and designated and include and designate Dissident Schools, Elementary Schools, Model Schools, Academies and every School whatever kept under the control of School Commissioners or Trustees of Dissident Schools.

"Superintendent of Education," "Superintendent."

2. The expressions "Superintendent of Education" or "Superintendent," used in the said chapter 15 of the Consolidated Statutes for Lower Canada, and the acts which amend the same, comprehend and designate the Superintendent of Public Instruction.

27 V., c. 11
repealed.

3. The Act of the heretofore Province of Canada, 27th Vict., Chapter 11, intituled : "An Act to facilitate and diminish the cost of the Collection of School Rates," is hereby repealed.

Corporate
name of dis-
sident mi-
norities.

4. The Trustees of Dissident Minorities, since they have been constituted into a corporation, have formed, now form and shall for the future continue to form a corporation under the name of "The Trustees of the Dissident Minority of the Municipality of _____," and as such may sue, and,

Powers.

be sued, and generally perform all things that a body politic and corporate may and should perform for the purposes for which it is constituted ; and all acts, laws, document, rolls or proceedings of whatever nature and kind

Acts confirmed.