

No. 178.

2nd Session, 7th Parliament, 26 Victoria, 1863.

BILL.

An Act for the protection of Insectivorous
and other Birds beneficial to Agriculture.

Received and read first time, Monday, 16th
March, 1863.

Second reading, Wednesday, 18th March,
1863.

Mr. JOLY.

QUEBEC :

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An Act for the protection of Insectivorous and other Birds,
beneficial to Agriculture.

WHEREAS, the destruction of insectivorous birds is prejudicial to Preamble.
agriculture, and the killing and capture of singing and other small
birds is a useless and cruel practice; Therefore, Her Majesty, &c.,
enacts as follows:

- 5** **1.** It shall not be lawful to shoot, destroy, kill, wound or injure, or Certain birds
only may be
killed at cer-
tain seasons.
to attempt to shoot, destroy, kill, wound or injure, any kind of bird
whatsoever, save and except eagles, falcons, hawks, wild pigeons,
ortelans, snow birds and king-fishers,—between the first day of March
and the first day of August in any year.
- 10** **2.** It shall not be lawful to take, capture, buy, sell, expose for sale, or taken in
any way or
exposed for
sale.
or have in possession, any kind of bird whatsoever, save and except the
kinds above excepted; or to set either wholly or in part, any net, trap,
spring, snare, cage, or other machine or engine, by which any kind of
bird whatsoever, save and except the kinds above excepted, might be
15 killed or captured, between the first day of March and the first day of
August in any year.
- 3.** It shall not be lawful to take, injure, destroy, or have in posses- Nest, young
or eggs, not
to be taken.
sion, any nest, young, or egg of any kind of bird whatsoever, except of
eagles, hawks, falcons and kingfishers, between the said first day of
20 March and the said first day of August in any year.
- 4.** The violation of any provision of this Act shall subject the of- Penalty for
contravention
of this Act.
How recover-
able, &c.
fender to the payment of a penalty of not less than *one dollar* and not
more than *ten dollars*, to be recovered in a summary manner by summons
before one Justice of the Peace, who shall award the penalty the of-
25 fender may be condemned to pay to the prosecutor, with all fees and
costs incurred; and in default of immediate payment thereof, the
offender shall be forthwith imprisoned in the nearest common jail for a
period not less than two and not more than twenty days at the discre-
tion of such Justice.
- 30** **5.** Any person may seize on view any bird unlawfully possessed, and Nests, traps,
&c., unlaw-
fully set may
be destroyed.
carry the same before any Justice of the Peace to be by him confis-
cated; and every person is authorized to destroy all nets, traps, snares,
cages, or other machines or engines, set wholly or in part, whereby any
kind of bird whatsoever, save and except the kinds above excepted in
35 the first section of this Act, might be unlawfully killed or captured.
- 6.** No conviction shall be annulled or vacated for any defect in the Conviction
not not in-
valid for want
of form.
form thereof or for any omission or informality in any summons or
other proceedings under this Act, so long as no substantial injustice
results therefrom.
- 40** **7.** The present Act and all its provisions shall be so construed as not Act not to
affect the
Game Acts.
to annul or vacate any provision of the Game Acts of Canada, or any
amendments thereto.