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No. 178.

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

BILL.

An Act for the protection of Insectivorous
and other Birds beneficial to Agricul-
ture.

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

Second reading, Wednesday, 18th March,
1863.

Mr. JOLY.

QUEBEC:

PRINTED FOR THE CONTRACTORS BY
HUNTER, ROSE & LEMIEUX, ST. URSULE ST.

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

WHEREAS, the destruction of insectivorous birds is prejudicial to 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 to attempt to shoot, destroy, kill, wound or injure, any kind of bird whatsoever, save and except eagles, falcons, hawks, wild pigeons, ortelans, snowbirds 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 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 killed or captured, between the first day of March and the first day of August in any year.
- 15. 3.** It shall not be lawful to take, injure, destroy, or have in possession, any nest, young, or egg of any kind of bird whatsoever, except of eagles, hawks, falcons and kingfishers, between the said first day of March and the said first day of August in any year.
- 20. 4.** The violation of any provision of this Act shall subject the offender 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 offender 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 discretion of such Justice.
- 25. 5.** Any person may seize on view any bird unlawfully possessed, and carry the same before any Justice of the Peace to be by him confiscated; 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 the first section of this Act, might be unlawfully killed or captured.
- 30. 6.** No conviction shall be annulled or vacated for any defect in the 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.
- 35. 7.** The present Act and all its provisions shall be so construed as not to annul or vacate any provision of the Game Acts of Canada, or any amendments thereto.