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**The
LANDS and FORESTS
ACT 1935**

Chapter 4 of the Acts of 1935

**PART III
GAME**

This consolidation has been made for the convenience of the Dept. of Lands and Forests. It is not a statutory or a legal revision.



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1936

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INTERPRETATION

79. In parts II and III of this Chapter, unless the context otherwise requires:

(a) "Woods" includes wood, forest, tract covered by underwood, barren and dry marsh or bog.

(b) "Chief Forest Ranger" and "Chief Ranger" means a Chief Forest Ranger appointed under the provisions of sub-section (1) of Section 94 of Part II of this Act.

(c) "Sub-Ranger" and "Ranger" means a Sub-Ranger appointed under the provisions of Part II of this Act;

(d) "Game" means and includes moose, caribou, deer, beaver, hares, wild rabbits, mink, otters, martens, muskrats, raccoons, bears, Canada lynx, wildcats, foxes and the following birds: the Anatidae, commonly known as swans; geese, excepting domestic geese, brant and river and sea ducks; the Rallidae, commonly known as rails and coots; the Limicolae, commonly known as shore birds; plover, snipe, woodcock, sandpipers, tattlers and curlews; and the Gallinae, commonly known as grouse; pheasants, partridges and quails;

(e) "Big Game" means and includes bear, moose, caribou and deer.

(f) "Protected" as applied to mammals and birds, means protected throughout the year, or for any shorter close season, under the provisions of this Act;

(g) "Close Season" and "open" season mean respectively the season during which the killing, pursuing with intent to kill, taking or having in possession any species of game is prohibited or permitted;

(h) "Hound" means any dog not belonging to the pointer or setter class in the live stock records of the Federal Department of Agriculture.

(i) "Resident" means a British subject permanently or ordinarily resident in this Province for six months last past and "non-resident" means any other person; provided, however, that any person born in the Province of Nova Scotia and the owner of real property in said Province shall be considered a "Resident" under this Act.

(j) "Warden" means and includes the Minister, Provincial Forester, Inspector, Chief Forest Ranger, Sub-Ranger, Game Warden or other officer appointed under the provisions of Parts II and III of this Act;

(k) "Constable" means and includes any Sheriff, Deputy Sheriff, Police Officer, Constable, Bailiff, Keeper of a jail or prison, or other person employed or deputized for the preservation of the public peace, and also any warden having the powers of a Constable for the purposes of this Act;

(l) "Justice" means and includes any Justice of the Peace or Stipendiary Magistrate appointed or acting in or for any city, town, county or other district within the Province;

(m) "Uncultivated Land" means land that has not been reclaimed and is not being used for the purpose of tillage, orchard, meadow or pasture, or as land surrounding a dwelling house;

(n) "Occupant" means the owner, lessee, or other person having possession of or control over lands;

(o) "Fur Ranch" means an enclosure in which fur-bearing animals are kept in captivity and which is so constructed that it will effectively prevent ingress or egress of the animals of the same species as those so kept in captivity. 1926, c. 4, s. 85; 1927, c. 55, s. 3; 1928, c. 57, s. 60; 1930, c. 51, s. 13; 1931, c. 59, s. 5; 1933, c. 56, s. 2.

GAME

MOOSE, CARIBOU AND DEER

112. (1) No person shall kill, take or hunt or pursue with intent to kill or take:

(a) any moose, or deer, except between the twentieth day of October and the thirty-first day of October following in any year, both dates inclusive;

(b) any caribou;

(c) any cow moose or doe deer or any moose or deer under the age of two years at any time.

(d) any moose on the Island of Cape Breton at any time;

(e) any moose in the night time, i.e., between one hour after sunset and one hour before sunrise;

(f) any moose or deer by means of or with the assistance of any light or lights.

(2) Notwithstanding anything contained in this Part, if a deer is found doing actual substantial damage to any growing cultivated crop, or any orchard, the owner of such crop or orchard may chase away or kill such deer but he shall not pursue the same beyond the limits of his cultivated land on which such damage is being done.

(3) Any person killing a deer in accordance with the provisions of the last preceding Subsection shall forthwith notify the Chief Ranger for the District stating the time, place and circumstances of such killing and the estimated amount of the damage done by such deer.

(4) Such Chief Ranger shall forthwith communicate such information in writing to the Minister.

(5) The Minister may, within eight days of the receipt of such information, require that such information be substantiated by affidavit of the person who killed such deer; and the burden of proving justification under the provisions of Sub-section (2) and compliance with the provisions of this Subsection and of Subsection (3) shall be upon the person who kills such deer. 1928, c. 57, s. 13; 1930, c. 51, s. 2; 1931, c. 59, ss. 8, 9, 10; 1933, c. 56, ss. 4, 5, 6.

113. (1) No person, after having killed or taken, in any year or season, one moose shall, in the same year or season, kill or take any other moose.

(2) No person, after having killed or taken, in any one year or season, one deer, shall, in the same year or season, kill or take any other deer.

(3) If a moose, or deer, be killed or taken by two or more persons hunting or pursuing it in company or at the same time, each of such persons who, by shooting at it or otherwise shall attempt to kill or wound such moose or deer, shall be deemed to have killed or taken it within the meaning of this Section.

(4) No person, after having killed or taken in any one year or season one moose or one deer shall, in the same year or season guide or assist another person when such person is hunting or pursuing any animal of the same species as that so killed or taken; provided, however, that this Subsection shall not apply to a licensed guide when acting professionally as such. 1930, c. 51, s. 2; 1931, c. 59, ss. 11, 12; 1933, c. 56, ss. 7, 8.

114. No person shall make or set, or attempt to make or set, any snare, trap, pit or other device or contrivance for the killing or taking of, moose or deer. 1926, c. 4, s. 117.

115. (1) No person shall hunt, chase or kill, or pursue with intent to kill or take, any moose, caribou or deer with a dog.

(2) No person shall use any hound for the purpose of hunting between the first day of April and the first day of November following.

(3) When any person is lawfully hunting with a dog any mammal or bird, he shall be liable to the penalty prescribed for a violation of this section if any such dog tracks, hunts or kills any moose, caribou or deer.

(4) No owner of any dog, shall permit such dog to run at large at any time in any locality where moose, caribou or deer are usually found; and any person harboring or claiming to be the owner of such dog shall be deemed to be the owner thereof.

(5) Any person may lawfully kill any dog found hunting, chasing or pursuing any moose, caribou or deer or running unaccompanied by any person in control of such dog in a place frequented by moose, caribou or deer.

(6) Where a dog is known to run unaccompanied by any person in control thereof in a place frequented by moose, caribou or deer, the owner on being notified to that effect by a Game Warden shall within forty-eight hours

cause the dog to be killed, and if the dog is not killed within forty-eight hours of the owner being so notified, the owner shall be guilty of an offence against this Act, and he shall be liable to a penalty of two dollars for each day or part thereof that the dog remains alive after the expiration of the forty-eight hours, and upon such owner being convicted under this subsection, any Game Warden may cause such dog to be killed.

(7) Where a dog is known to any Game Warden to run unaccompanied by any person in control thereof in a place frequented by moose, caribou or deer, and such Game Warden is unable, upon diligent enquiry, to ascertain the owner of such dog, such Game Warden shall kill such dog or cause the same to be killed.

116. Every person who kills a moose, or deer, shall, within ten days thereafter, send to the Minister, by registered post, a notice in writing, signed by such person, stating his address and when and where he killed such moose or deer, and whether it was a male or female. 1926, c. 4, s. 119; 1928, c. 57, s. 14.

117. (1) Every person who kills a moose or deer shall within four days thereafter, go before a Justice of the Peace, Commissioner or Warden and make an affidavit stating the time, place and manner of the killing of such moose or deer, and such other facts as will enable the Justice, Commissioner or Warden to determine whether or not the moose or deer has been legally killed.

(2) Before or when such affidavit is taken such person shall exhibit to the Justice, Commissioner or Warden taking such affidavit, for examination by him, the skull and antlers of such moose or deer with the skin of the neck and head attached thereto, and also the skin of the four legs of such moose or deer, and shall deliver to such Justice, Commissioner, or Warden such skins of the four legs to be dealt with as hereinafter provided.

(3) It shall be the duty of the Justice, Commissioner or Warden before granting an affidavit under the provisions of this Section to examine the skull and antlers and skin of the neck and head and of the four legs exhibited to him for the sign or mark of any snare, trap or other illegal contrivance for the taking of moose or deer, and if he finds any such mark or sign, or that the skin has been cut short or for any other reason suspects that the moose or deer with respect to which the affidavit is

sought has been snared or otherwise illegally taken, he shall not take such affidavit but shall forthwith report the facts to the Minister with the ground of his suspicion.

(4) The skins of the four legs delivered to the Justice, Commissioner or Warden under the provisions of this Section shall in each case be forfeited and shall be destroyed by such Justice, Commissioner or Warden.

(5) Any Justice, Commissioner or Warden taking an affidavit under the provisions of this Section shall return the same to the Minister by registered post within seven days.

(6) The affidavit mentioned in this Section may be in the form "F" in the Schedule to this Chapter or to the like effect.

(7) If two or more persons join in the killing of a moose or deer, one of such persons shall make an affidavit as nearly as may be in the form required by this Section, setting forth in addition to other particulars the name and address of each of such persons who shall have shot at or otherwise attempted to kill such moose or deer, and the person making such affidavit shall, except as to the necessary variations in the form of the affidavit, comply with all the provisions of this Section. If such affidavit be not made and the other provisions of this Section complied with by one of such persons, each of such persons shall be guilty of a violation of this section.

(8) A Justice, Commissioner or Warden for each affidavit taken by him under the provisions of this Section, shall be entitled to a fee of fifty cents.

118. No person shall sell or offer or expose for sale any moose meat, caribou meat or deer meat at any time. 1927, c. 55, s. 14.

119. (a) No person shall have in his possession the green hide or any part thereof or the meat or any part of the carcase of a moose or deer, except as authorized by this Act.

(b) The possession between the 20th day of October and the 4th day of November following, both dates inclusive, of the green hide or meat or part of the carcase of any male moose or male deer over the age of two years which has been legally killed under the provisions of this Act is permitted.

(c) The possession of the meat of a male moose or deer over two years old which has been legally killed under the provisions of

this Act to be kept in cold storage or pickle between the 31st day of October and the 20th day of October the following year is permitted under a permit in writing issued by the Minister or Chief Ranger of the District in which the permit is granted.

(d) The possession of the head and neck of a moose or deer legally killed and preserved is permitted. 1933, c. 56, s. 9.

HARES

120. (1) No person shall—

(a) Kill, take, hunt or pursue with intent to kill or take, or have in his possession any hare or wild rabbit, or set or maintain any snare or trap for any hare or wild rabbit except from the first day of December in any year, to the last day of February following, both dates inclusive.

(b) set any snare for hares or wild rabbits, made of any material other than the wire commonly known as "rabbit wire," not sligher than number 20.

(c) make, place, erect or maintain any hedge or other obstruction or structure, of a greater length in the whole than fifty feet, in connection with or adjoining or between any snare or snares or make, place, erect or maintain any such hedge or other obstruction or structure without a distance of at least one hundred feet intervening between it and any other such hedge, obstruction or structure.

(2) Any snare, hedge or other obstruction or structure set, made, placed, erected or maintained contrary to this Section may be destroyed by any person finding the same; and it shall be the duty of any warden to seize or destroy any such snare, hedge or other obstruction or structure.

FUR BEARING ANIMALS

121. (1) Except as otherwise provided in this Part no person shall hunt, take or kill or set or maintain any trap for, or have in his possession—

(a) any mink, otter, raccoon, weasel, fox or muskrat, except between the 1st day of November, and 15th day of December following in any year both dates inclusive;

(b) any beaver, fisher or marten at any time;

(c) any animal, valuable only for its fur, not elsewhere in this section mentioned (except the bear, the wolf and the wildcat) except between the 1st day of November and the

15th day of December following in any year both dates inclusive.

(2) Notwithstanding anything contained in this Section, when necessary for the protection of private property, any person may take or kill at any time any fox, raccoon, mink, skunk, weasel or muskrat, found on his enclosed premises or farm.

(3) No person shall destroy or damage any muskrat house or set any snare or trap within twenty-five feet of such house, or destroy or damage any beaver dam or house.

(4) No person shall kill or take any fur-bearing animals by means of strychnine or other poison, or deposit or set out poison in any place frequented by fur-bearing animals.

(5) No person shall kill any muskrat by means of any shotgun, rifle or other firearm. 1926, c. 4, s. 124; 1930, c. 51, s. 4; 1931, c. 59, s. 15; 1932, c. 47, ss. 5, 6, 7; 1933, c. 56, s. 11.

122. No person shall buy or sell or have in his possession at any time—

(a) the green or untanned or undressed hide or pelt of any beaver, fisher or marten;

(b) the green or untanned or undressed hide or pelt of any fur-bearing animal taken out of season. 1926, c. 4, s. 125.

FUR FARMING

123. (1) No person shall keep fur-bearing animals, whether bred in captivity or not, for the purpose of preserving and breeding from such animals, without first obtaining a permit from the Minister.

(2) All persons keeping fur-bearing animals in captivity under the provisions of this Section shall report to the Minister on the thirty-first day of December in each year:

(a) the number of adult and young animals held in captivity.

(b) the number of animals and pelts sold and the number which died in captivity during the year;

(c) the numbers and value of animals and pelts exported or carried out of the Province.

(3) All fur-bearing animals kept in captivity under the provisions of this Section and the places in which they are kept shall be at all times open to the inspection of any Warden or other officer acting under the authority of the Minister.

(4) Any permit issued under the provisions of this Section may be cancelled at any time by order of the Minister on good cause shown. 1926, c. 4, s. 127.

(5) Except as provided by this Act, no person shall keep in captivity any wild animal, native to this Province, for any purpose whatsoever, without first having obtained the permission in writing of the Minister. Such permission may be given by the Minister upon such conditions as he deems fit, and may be revoked at any time for any reason he deems sufficient, and such revocation shall have effect when notice thereof, signed by the Minister, has been mailed to such person by registered post.

124. (1) No person, without the consent of the owner or caretaker of a ranch or enclosure where fur-bearing animals are kept in captivity for breeding purposes, shall approach or enter 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.

(2) No person owning, possessing or having the care of any dog shall permit such dog between the fifteenth day of January in any year and the first day of May following to approach or enter upon the private grounds of the owner of any ranch or enclosure where fur-bearing animals are kept for breeding purposes within a distance of fifty yards of the outer fence or enclosure within which the dens of such animals are located, and any dog found at any time during the said period on the said private property of such owner within the distance of fifty yards of such fence or enclosure, may lawfully be killed by the owner or caretaker of such ranch. 1926, c. 4, s. 128.

125. No person without the consent of the owner or caretaker of any enclosure within which fur-bearing animals are kept for breeding purposes, and on the outer fence of which enclosures 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 shall pass within the said fence of such enclosure or climb over, break or cut through the same for the purpose of enter-

ing the said enclosure or for any other purpose whatsoever. 1926, c. 4, s. 129.

BIRDS

126. (1) No person shall take, hunt or kill, or attempt to take, hunt or kill, or have in his possession—

(a) any ruffed grouse at any time.

(b) any pheasant, Hungarian partridge, Ptarmigan or any Canada grouse (commonly called spruce partridge) at any time;

(c) any wild bird not included under the definition of game in this Chapter, excepting only the crow, hawk, great horned owl, kingfisher and English sparrow, at any time.

(2) No person shall hunt, kill or pursue any wild geese or other water fowl—

(a) in Port Joli Harbour in the County of Queens inside or north of a line drawn from Forbes Point on the east side of said Port Joli Harbor to a point known as Scotch Point on the west side of said Harbour; provided, however, that all the portion of said Harbour known as Boyd's Rock Cove, being that portion of the said Harbour lying to the eastward of and including Boyd's Rocks, shall be exempt from this provision;

(b) in Port L'Hebert Harbour in the Counties of Queens and Shelburne, above or north of Timber Island, so-called, in said Harbour;

(c) in that portion of Port L'Hebert Harbour aforesaid described as follows: Beginning at highwater mark on the west side of Port L'Hebert Harbour on the northern bank of Bill Tom's brook; thence to the south side of H. B. Nickerson's wharf on the east of said Harbour; thence following the shores southwardly to the northern edge of William MacDonald's reef; thence westwardly in a straight line to the spar buoy and the continuation of the said line to the western shore of the Harbour at high-water mark and thence northwardly along highwater mark to the place of beginning;

(d) in Sable River, in the County of Shelburne above or north of McAdam's Bridge, so-called, in said River; provided, however, that this sub-section shall not be construed as prohibiting the shooting of wild geese or ducks from any part of the mainland.

(3) No person shall in one and the same day kill more than eight woodcock.

(4) No person shall hunt or kill any bird included under the definition of game in this Act, between one hour after sunset and one hour before sunrise.

(5) No person shall use any rifle or any gun loaded with bullet, to kill or shoot at wild fowl.

(6) No snare, net or trap shall be set or used at any season of the year for any protected bird.

(7) No person shall take or kill or attempt to take or kill with a device known as a punt-gun or a swivel, or use any artificial light or flambeau for the capture or destruction of any protected bird. 1926, c. 4, s. 130; 1932, c. 4, s. 9; 1933, c. 56, ss. 13, 14, 15.

127. No person shall sell or offer or expose for sale at any time any ruffed grouse or any woodcock, Wilson snipe or other shore birds. 1926, c. 4, s. 131.

128. Except as in this Part otherwise provided, no person shall take, have in possession, buy or sell any egg of any protected bird, or destroy or disturb the nest of any such bird. 1926, c. 4, s. 132.

GAME FARMING

129. (1) The Minister or any person by him authorized so to do may issue a license authorizing a person to keep in captivity on premises defined in such license, game birds for any and all of the purposes of sale, barter, exchange, preservation, consumption, and propagation. Such a license shall be called a "Game Farmer's License" and shall be in Form "I" of the Schedule to this Act, and the premises so defined in the license shall be called a Game Farm.

(2) Such license may be revoked at any time by the Minister for any reason which he deems sufficient. Notice of such revocation shall be sent to the licensee by registered mail and the revocation shall have effect upon such notice being posted.

(3) The Minister may make regulations for the conduct of such game farms and for the disposal of the game birds kept thereon. Such regulations, when they have been published in one issue of the Royal Gazette shall have the same effect as if contained in this Act.

(4) Except as provided by sub-section (1) of this Section, no person shall keep in cap-

tivity any game bird for the purpose of sale, barter, exchange, preservation, consumption or propagation.

(5) Any person who violates any of the provisions of this section or any of the regulations made under the provisions of subsection (3) thereof shall be liable to a penalty of not less than ten nor more than fifty dollars.

GENERAL REGULATIONS

130. Notwithstanding anything contained in this Part any protected mammal or bird may be killed or taken at any time for the purpose of scientific investigation or propagation, and the eggs of any bird may be procured for the purpose of scientific investigation or propagation, provided that in each case a special license signed by the Minister has first been obtained. 1926, c. 4, s. 133.

131. Except as in this Part otherwise provided no person shall take alive or keep in captivity any protected mammal or bird. 1926, c. 4, s. 134.

132. No person shall sell or expose or offer for sale or buy the body or carcase or any part of the body or carcase or any skin or pelts of any protected mammal or bird until after the lapse of three days from the expiration of the close season prescribed for such mammal or bird. 1927, c. 55, s. 20.

133. No person shall have in his possession at any time, any protected animal or bird illegally killed or taken, or any portion thereof. 1926, c. 4, s. 136.

134. Every person who shall have set any snare or trap which may legally be set under the provisions of this Part shall take up and remove the same at the end of the season during which snare or trap may legally be set. 1926, c. 4, s. 137.

135. No person shall take, carry or have in his possession in or upon any forest wood or other resort of moose or deer, or have in any tent or camp, or other shelter (except his usual and ordinary permanent place of abode), nor upon any forest wood, or other resort of moose or deer any rifle or any shot gun cartridges loaded with ball between the 31st day of October and the twentieth day of October following; provided, however, that any person who is the holder of a license issued under the provisions of Section 141 (a) 141 (b) or 141 (e) may carry one rifle through any forest or wood which is in the usual way of travel to or from a hunting camp which said person is to occupy

two days before the opening and two days after the closing of the open season on moose or deer, and further provided that any person may, notwithstanding this section, take, carry or have in his possession in any forest, wood or other resort of rabbits, any rifle of a calibre not greater than .22 between the first day of December and the last day of February, both days inclusive. 1933, c. 56, s. 16.

136. No person not being the holder of a license issued under the provisions of Section 141 (a) 141 (b) or 141 (e) shall take, carry or have in his possession in or upon any forest, wood or other resort of moose or deer, any rifle or any shot gun cartridges loaded with ball, during the open season for such game. 1933, c. 56, s. 17.

137. No person shall hunt, take or kill or pursue with intent to take or kill, any protected mammal or bird, or carry any gun or other fire-arm in any place frequented by any protected mammal or any bird on the first day of the week, commonly known as Sunday. 1926, c. 4, s. 140.

138. (1) No person shall at any time discharge any firearm within the boundaries of any common and public highway or within one hundred feet of any such boundary.

(2) No person shall at any time hunt, take, or kill or attempt to hunt, take or kill any game while such game is within the boundaries of any common and public highway or within one hundred feet of any such boundary.

(3) For the purposes of this section the width of every common and public highway shall be sixty-six feet.

139. No person, who has taken or killed any mammal or bird suitable for food, shall allow the flesh thereof to be destroyed or spoiled, and no person, who has killed or taken a fur-bearing animal shall allow the skin thereof to be destroyed or spoiled. 1926, c. 4, s. 141.

140. The Governor-in-Council may make regulations—

(a) designating any part or parts of the Province in which it shall be unlawful to hunt, take or kill or attempt to take or kill any game;

(b) prohibiting or regulating the export of game out of the Province;

(c) containing such further and other provisions as shall be deemed necessary or desirable for the administration and enforcement of the Act, 1932, c. 47, s. 10.

LICENSES

141. Any person authorized by the Minister, may issue a license—

(a) authorizing a non-resident to hunt and kill game, except woodcock and Wilson snipe, which license shall be called a "non-resident's license," and the fee payable therefor shall be \$50;

(b) authorizing a non-resident to hunt and kill deer, which license shall be called a "non-resident's deer license" and the fee payable therefor shall be \$25.00;

(c) authorizing a non-resident to hunt and kill birds and other small game, except woodcock and Wilson snipe, which license shall be called a "small game license," and the fee payable therefor shall be \$15.00;

(d) authorizing a non-resident to hunt and kill woodcock and Wilson snipe, which license shall be called a "Woodcock license," and the fee payable therefor shall be \$25.00;

(e) authorizing a resident to hunt and kill moose and deer, which license shall be called a "resident's big game license," and the fee payable therefor shall be \$2.00.

(f) no license shall be issued to any person under the age of 18 years. 1928, c. 57, s. 18; 1931, c. 59, ss. 18, 19, 1933, c. 56, ss. 18, 19, 20.

142. (1) The Minister may issue a license—

(a) authorizing a resident to engage in the business of buying and selling skins or pelts of fur-bearing animals; which license shall be called a "Resident Fur-Buyer's License," and the fee payable therefor shall be twenty-five dollars;

(b) authorizing a non-resident to engage in the business of buying and selling skins or pelts of fur-bearing animals; which license shall be called a "Non-Resident Fur-Buyer's License," and the fee payable therefor shall be one hundred dollars;

(c) authorizing a person to have in his possession game for the purpose of preparing and mounting the same as specimens; which license shall be called a "taxidermist's license," and the fee payable therefor shall be \$5.00;

(d) authorizing a person registered as a guide under the provisions of this Part to ac-

company in the woods, as a guide, any person hunting or intending to hunt game; which license shall be called a "guide's license," and the fee payable therefor shall be \$2.00;

(e) authorizing a non-resident to hunt and trap fur-bearing animals, which license shall be called a "non-resident's trapper's license," and the fee payable therefor shall be \$50.00.

(2) Notwithstanding the provisions of this Section the Minister may refuse to issue any license or may cancel at any time any license issued by him or under his authority. A license so cancelled shall be void and of no effect immediately upon the mailing of notice of cancellation addressed to the holder of such license at the address written therein. 1927, c. 55, s. 24; 1930, c. 51, ss. 8, 9.

143. Upon it being made to appear to the satisfaction of the Minister by the affidavit of any game warden that any person has while hunting any game inadvertently or otherwise discharged a firearm at any other person, the Minister may cause to be inserted in The Royal Gazette a notice to the effect that such person is no longer entitled to be the holder of any game license whatsoever from and after the date of the publication of such notice, and thereupon such person shall be disqualified to hold any game license, and any game license held by or issued to him shall be null and void unless and until the Minister by a notice inserted in the Royal Gazette declares that such person is no longer disqualified, and any person while disqualified by virtue of this section found with any firearm in his possession in the vicinity of any place frequented by any game or elsewhere than upon his own premises or who is in the possession of any game license issued in his name shall be guilty of an offence and shall upon summary conviction therefor be liable to a fine of not less than one hundred dollars and not more than five hundred dollars.

144. (1) Every license issued under the provisions of Sections 141 and 142 shall be signed by the Minister or Chief Clerk, and the person who issues the same shall plainly and legibly write thereon the place and date of issue, and shall endorse thereon his name and office.

(2) No such license shall be valid unless the signature and address of the person to whom it is issued are written thereon.

(3) Every such license shall be in force from the day on which it is issued until the first

day of August then next ensuing, and shall be subject to the provisions of this Part and of any other enactment for the preservation of game in force in the Province during the time for which such license is granted. 1926, c. 4, s. 145; 1928, c. 57, s. 19.

145. Every holder of a license issued under the provisions of this Part shall produce the same when required to do so by any Warden. 1926, c. 4, s. 146.

146. (1) No person shall be entitled to a license to accompany in the woods, as a guide any person hunting or intending to hunt game, unless he is a resident and shall have registered as a guide in the office of the Minister after filing in said office an application containing such particulars and evidence of qualification as the Minister may think proper; such application to be on a printed form to be obtained from the office of the Minister.

(2) Such registration shall continue valid until the same shall be cancelled by order of the Minister upon good cause shown. 1926, c. 4, s. 147.

147. The Minister may make regulations, not inconsistent with the provisions of this Part, regarding the issuing of licenses, and for the remuneration, either by a proportion of the license fees or otherwise, of the persons issuing the same. 1926, c. 4, s. 148.

148. (1) Every person who issues any license under this Part shall, on or before the last day of the month in which the license is issued, make a return in writing to the Minister, showing the name and domicile of every person to whom a license was issued by him during the month, and shall remit with such return the fees received for such licenses, less any percentage allowed by way of commission.

(2) Every person who holds for sale any license under this part shall, unless otherwise directed by him, return to the Minister, on the thirty-first day of December in every year, all unsold licenses so held by him, 1926, c. 4, s. 149.

149. (1) No non-resident shall—

(a) kill or pursue with intent to kill, any game, enter any forest or other place frequented by game for the purpose of hunting or killing the same, or carry any gun or other firearm into or upon any such forest or place, at any time of the year, without first having ob-

tained either a non-resident's license or small game license;

(b) kill or pursue with intent to kill, or enter any forest or other place for the purpose of hunting or killing any big game or any woodcock or Wilson snipe without first having obtained a non-resident license or a non-resident deer license or woodcock license;

(c) without first having obtained either a non-resident's license or a small game license, accompany as companion, servant or otherwise any person who is engaged in killing or pursuing with intent to kill any game, or who has entered any forest or place frequented by game for the purpose of hunting or killing the same;

(d) without first having obtained a trapper's license, kill or take any fur-bearing animal or set or maintain any snare or trap for any fur-bearing animal;

(e) whether holding a license or not, hunt any game, or enter any forest or other place frequented by game for the purpose of hunting, fishing or camping, without being accompanied by a guide holding a guide's license; provided, however, that the Minister may, in his discretion issue a permit to any non-resident to enter any forest or place frequented by game for the purpose of fishing or camping only without being accompanied by such guide.

(2) Any non-resident, owner of real property in the Province on which municipal rates of not less than the amount of the licensed fee yearly have been rated and paid, shall be entitled to a non-resident's license or a small game license, as the case may be, upon a payment of a fee of ten dollars therefor, and production of a certificate signed by the Municipal Treasurer or Collector of Rates, that such rates have been paid for the current year in which the application for such license has been made.

(3) All officers and men of His Majesty's Army or Navy stationed within the Province not otherwise domiciled therein shall be entitled to a non-resident's license upon the payment of a fee of five dollars therefor. 1926, c. 4, s. 150; 1930, c. 51, s. 10; 1932, c. 47, s. 12.

150. (1) No resident shall, without holding a "Resident Fur-Buyer's License," and no non-resident shall, without holding a "Non-Resident Fur-Buyer's License," deal in or buy for the purpose of sale any raw hide or pelt of any game or fur-bearing animal.

(2) Every holder of a "Resident Fur-Buyer's License," and every holder of a "Non-Resident Fur-Buyer's License" shall keep a record of the date of the purchase of each hide or pelt, and the name and residence of the person from whom such purchase was made, and shall keep a record also of all sales of such hides or pelts and the name and residence of the persons to whom such sales were made; and such records shall be open at all times to the inspection of a Warden.

(3) Every holder of a "Resident Fur-Buyer's License" and every holder of a "Non-Resident Fur-Buyer's License" shall report to the Minister on the first day of each and every month—

(a) the number of each kind of hides or pelts purchased by him during the preceding month, distinguishing those purchased outside the province;

(b) the name and residence of the person from whom each purchase was made;

(c) the number of each kind of hides or pelts sold by him during the month;

(d) the name and residence of the person to whom each sale was made;

(e) the number of each kind of hides or pelts shipped out of the Province by him during the month.

(4) Every holder of a "Resident Fur-Buyer's License," and every holder of a "Non-Resident Fur-Buyer's License" shall on or before the first day of November in every year send to the Minister a report containing the particulars named in the last preceding Sub-section compiled for the year ending the 30th day of June preceding. 1926, c. 4, s. 151.

151. No resident shall kill, or hunt or pursue with intent to take or kill, any moose or deer without first having obtained a "resident's big game license." 1927, c. 55, s. 25; 1928, c. 57, s. 20.

152. Every holder of a "resident's big game license," is required to produce the same on demand of any other holder of a "resident's big game license." 1927, c. 55, s. 27.

153. No person engaged in the business of preparing or mounting specimens shall have in possession any protected mammal or bird for that purpose without holding a "taxidermist's license." 1926, c. 4, s. 155.

154. (1) No person, not holding a guide's license, shall accompany as hunter or guide for hire,

any person hunting or intending to hunt game or any non-resident fishing or intending to fish for any sporting fish; and no licensed guide shall at the same time guide or be employed by more than two hunters or three fishermen.

(2) No guide shall take or receive pay for his services as such, or any portion of such pay, in moose meat or other game; but any guide taking pay for his services in such manner shall be held to have acted as a guide for hire.

(3) No person shall act as hunter, guide or companion to any non-resident, when such non-resident, without having taken out a license therefor, is engaged in killing, or pursuing with intent to kill any game, or has entered any forest or other place frequented by game for the purpose of hunting or killing the same. 1926, c. 4, s. 157.

155. For any permit or special license issued out of the office of the Minister under any of the provisions of this Part, and for which no special fee is provided, the fee shall be \$1.00. 1926, c. 4, s. 158.

ROYALTIES

156. (1) On each and every hide or pelt of game or fur-bearing animals killed or taken in the Province, Royalty shall be paid as follows:

Fox (Red)	\$0.75	Muskrat	\$0.05
Fox (Cross)	0.75	Raccoon	0.20
Weasel	0.03	Lynx	1.00
Otter	1.00	Mink	0.40

(2) No person shall take, ship or send, or attempt to take, ship or send to any point outside of the Province, or deliver to any non-resident within the Province any raw hide or pelt of any game or fur-bearing animals, or send or deliver any such hide or pelt to any tanner to be treated in any way, before Royalty has been paid on such hide or pelt as herein-before provided.

(3) Every person having in his possession hides or pelts of fur-bearing animals hunted or killed within the Province, shall pay to the Warden the Royalties hereinbefore mentioned; provided that this Sub-section shall not apply to a resident hunter or trapper selling his catch to a licensed fur-buyer resident in the Province.

(4) Upon receipt of such Royalty the officer collecting the same shall affix a mark approved by the Minister on each of such skins; and every

skin not marked shall be deemed to be illegally held, and may be seized by the Warden, if such Royalty is not paid forthwith, and may be sold by order of the Minister for the recovery of the Royalty. 1926, c. 4, s. 159; 1932, c. 47, s. 13.

EXPORT

157. (1) Except as otherwise provided in this Chapter, no person shall at any time or in any manner export or attempt to export, or cause to be exported or carried out of the limits of the Province any protected mammal or bird, or any portion of such mammal or bird, excepting under a special permit from the Minister and then only in the case of mammals or birds, taken for the purpose of scientific investigation or of propagation, and of heads, antlers, and skins of mammals lawfully killed; provided, however, that the lawful holder of a non-resident's license shall be allowed to export out of the Province in any one season, the head and the skin and the remainder of the carcass of one moose or deer shot by himself and that skins of fur-bearing animals may be exported under the provisions of this Part applicable thereto; and provided further that the holder of a woodcock license shall be allowed to take with him out of the Province in any one season sixteen woodcock shot by himself.

(2) A shipping coupon or tag issued with such license containing the number of the license and the name and address of the licensee, shall be attached to such head, or to the receptacle or package containing such skin or other portion of the carcass as may be shipped or delivered for export by any non-resident licensee under the provisions of the last preceding Sub-section; and such non-resident licensee shall, if required by any warden, make a statutory declaration to the effect that the moose, the head or other portion of which he is exporting was lawfully killed by him, and shall, on demand of any Warden, produce his license or satisfactorily account for the non-production thereof. 1926, c. 4, s. 160; 1931, c. 59, s. 22.

158. (1) No person shall export or attempt to export or cause to be exported or carried out of the limits of the Province, any package containing the skin, hide or pelt of any fur-bearing animal, whether such animal is included in the definition of game or not, without first obtaining a written permit from a Game Warden who shall have examined such package; and there shall be attached to such package a tag or label on which the

warden shall have certified over his signature that he examined such package and issued such permit.

(2) The permit referred to in the next preceding Sub-section shall contain a list of the skins, hides, or pelts contained in such package and the name and address of the person or firm to whom said package is to be shipped; and the person issuing such permit shall, immediately after shipment of such package, return such permit to the Minister.

(3) For each permit issued under the provisions of Sub-sections (1) and (2) of this Section the Warden issuing the same shall collect a fee of fifty cents.

(4) All shipments of skins or pelts of fur-bearing animals shall be made only by express or parcel post. 1926, c. 4, s. 161; 1927, c. 55, s. 29.

SEARCH AND SEIZURE

159. (1) Whenever any person lays an information before a Stipendiary Magistrate or Justice of the Peace that he has reasonable cause to suspect, and does suspect that any live game or the carcase or any portion thereof or the green hide or pelt, nest or eggs of any game illegally killed, taken or had in possession, or about to be illegally exported is concealed in or upon the property or the premises of any person or persons, such Stipendiary Magistrate or Justice of the Peace may cause a search warrant to be issued, commanding the person to whom it is directed to search suspected premises or property and to take away any such game or portion thereof, or any such hide or pelt, nest or eggs found therein, and the same shall be disposed of as in this Part provided.

(2) The information and search warrant may be in the forms "G" and "H" in the schedule to this Chapter or to the like effect. 1926, c. 4, s. 162.

160. If any Warden has reason to believe that any game illegally killed, taken or had in possession, or about to be illegally exported, is concealed or contained in or upon the property or premises of any person or persons, or in any basket, bag, satchel, trunk, box, carriage, waggon, cart, sleigh or other receptacle or vehicle, he shall have the right and it shall be his duty to search and examine such property or premises, or such basket, bag,

satchel, trunk, box, carriage, waggon, cart, sleigh or other receptacle or vehicle for the purpose of ascertaining whether any such game is concealed or contained therein, and to seize the same if found. 1926, c. 4, s. 163.

161. (1) Any live game, or the carcase or any portion thereof, or the green hide or pelt, nest or eggs of any game which is the subject of a violation of any of the provisions of this Part, shall be forfeited and may be seized on sight by any Warden, and the same shall be disposed of as in this Part provided.

(2) Any snare, trap, net, punt-gun, swivel or any device for artificial lighting or other illegal contrivance for taking or killing game, which may be found set or being used by any person hunting or snaring game contrary to the provisions of this Part, shall be forfeited and may be seized on sight by any Warden, and the same shall be disposed of as in this Part provided.

(3) Any gun or other firearm found in the possession of any person using or carrying the same in violation of any of the provisions of this Part may be seized on sight by any Warden or Constable and the same shall be disposed of as in this Part provided.

(4) Any trap, snare or net, which may be found set or being used by any person hunting or snaring any mammal or bird contrary to the provisions of this Part may be lawfully seized and destroyed by any person, and any mammal or bird found alive therein may lawfully be set free. 1926, c. 4, s. 164.

DISPOSAL OF THINGS SEIZED

162. (1) Any game seized under any of the provisions of this Part may, by order of the Minister, be sold at any time, or if suitable for food may at the discretion of the Minister be given to the poor.

(2) Any trap, snare, net, punt-gun, swivel gun or any device for artificial lighting or any other illegal contrivance for taking or killing game, seized under any of the provisions of this Part, may forthwith thereafter be destroyed by the person seizing the same.

(3) Any game or the skins, antlers, meat or other portion thereof, or any gun or other firearm or any other article or thing seized under any of the provisions of this Part, and not otherwise disposed of under the provisions of this

Part, shall be held by the person seizing the same, subject to the order of the Minister who may make such disposition thereof as he may consider expedient.

(4) No proceedings shall be taken against the Minister or any Warden or Constables to recover anything seized under the provisions of this Part, after the expiration of thirty days from the date of such seizure. 1926, c. 4, s. 165.

OFFICERS

163. The Minister shall be the Chief of the game protective service. Every Chief Forest Ranger, as Game Warden, shall enforce the game laws in the municipality in which he is appointed. Every Sub-Ranger, appointed by the Minister, shall be, ex-officio, while so employed a Game Warden, and shall assist him in these duties. 1926, c. 4, s. 166.

164. (1) The Minister may appoint one or more Game Inspectors whose duty shall be to visit, under the direction of the Minister, any part of the Province where their services may be required to assist or direct any game warden in the discharge of his duties or otherwise to promote the enforcement of the game laws.

(2) Such Game Inspectors shall have all the powers and perform all the duties of a game warden.

(3) The Minister may appoint persons to be called "Special Wardens" who shall have all the powers of game wardens, but shall not be entitled to any remuneration other than such fees as may be collected under the provisions of this part.

165. All members of the Royal Canadian Mounted Police shall be ex-officio game wardens.

166. All registered guides shall be, ex-officio, Game Wardens, and are required to report violations of the provisions of this Part by any person employing them provided, however, that such guides shall not have authority to take affidavits or issue certificates under the provisions of this Part. 1926, c. 4, s. 167.

167. Every warden shall report to the Minister all cases of violation of any of the provisions of this Part which he has discovered or in which he may have in any manner acted. 1926, c. 4, s. 168.

168. Every warden shall forthwith remit to the Minister all fees, fines and proceeds of forfeitures

collected by him under the provisions of this Part, and shall, as often as required by the Minister render full and accurate accounts thereof. 1926, c. 4, s. 169.

169. Every warden who detects any person in the act of violating any of the provisions of this Part may without any warrant, arrest such person and take him forthwith before any Justice who upon complaint made to him by such warden, may thereupon deal with the offender according to law. 1926, c. 4, s. 170.

170. Every Warden shall and may, for the purpose of this Part, exercise all the powers and authority of a Provincial or local Constable, and may execute a summons or warrant issued upon an information made by himself; and every Warden shall be ex-officio a peace officer within the meaning of any law for the protection of peace officers. 1926, c. 4, s. 171.

171. Every Warden and Constable may exercise all the powers and authorities conferred upon him by this Part in any part or parts of the Province, irrespective of county lines. 1926, c. 4, s. 172.

172. Every Warden and Justice shall be empowered to act as a Commissioner for taking any affidavit or declarations required under the provisions of this Part. 1926, c. 4, s. 173.

173. Every Warden shall be empowered to enter upon or pass over any lands, whether enclosed or not, when in the discharge of his duty, provided always that a Warden shall be liable for any damage which he may cause in so doing. 1926, c. 4, s. 174.

EVIDENCE

174. (1) Whenever by this Part it is made an offence to do any act without holding a license therefor, the onus in any prosecution shall be upon the accused of proving that he was the holder of the license required by this Part.

(2) In any prosecution of any person for acting as a guide for hire without holding a guide's license, where it is proved that he acted as a guide, the onus shall be upon the accused of proving that he did not so act for hire.

(3) In any prosecution for the offence of acting as hunter, guide or companion for a non-resident not holding the license required by this Part, the onus shall be upon the accused of proving that the person for whom he was acting as hunter, guide or companion, was, at the time of

the alleged offence, the holder of the required license, or that such person was a resident.

(4) In any prosecution of any person charged as a non-resident with any offence under this Part the onus shall be upon the accused of proving that he was a resident.

(5) Any person found hunting or pursuing game, or having a gun or other firearm in or upon any forest or other place frequented by game who shall refuse to state his name and place of residence on demand of any Warden or Constable, shall be deemed to be a non-resident. 1926, c. 4, s. 175.

175. (1) In any prosecution for neglecting to report the killing of any game, or make any other report required under the provisions of this Part, the burden shall be upon the accused of proving to the satisfaction of the Justice, by producing the receipt of a postmaster or otherwise, that the required report was duly mailed and registered.

(2) In any prosecution for neglecting to make any affidavit required by this part the burden shall be upon the accused of proving to the satisfaction of the Magistrate that he made such affidavit. 1926, c. 4, s. 176; 1928. c. 57, s. 22.

176. (1) The possession of any protected mammal or bird illegally killed or taken, or any portion thereof, shall be prima facie evidence of the illegal killing or taking of such mammal or bird by the person having it in possession.

(2) The possession of any protected mammal or bird or any portion thereof, in a close season shall be prima facie evidence of the illegal killing or taking of such mammal or bird by the person having it in possession.

(3) The finding of any net, snare or other device or article set or maintained in violation of this Part, shall be prima facie evidence of the guilt of the person or persons owning, possessing or operating the same.

(4) In case of the seizure of any game or the skin, hide, or other part thereof, of any other article or thing, under the provisions of this Part, such seizure shall be prima facie evidence of the illegal killing, shipping, buying, selling, dealing in, carrying, or having in possession of the thing seized, as charged in the information or complaint. 1926, c. 4, s. 177.

177. (1) If there are two or more persons any

one of whom with the knowledge or consent of the other or others has anything in his custody or possession, in violation of any of the provisions of this Part, it shall be deemed and taken to be in the custody and possession of each and all of them.

(2) Any person accompanying or assisting either as servant, partner, accessory or otherwise, another in a violation of any of the provisions of this Part shall be deemed to be guilty of such violation, and shall be liable to the penalty provided therefor, whether he be the principal offender or not. 1926, c. 4, s. 178.

GENERAL PROVISIONS

178. Every person who wilfully refuses to furnish information, or wilfully furnishes false information to a Warden or Constable respecting the existence of or the place of concealment or storage of any game or the carcase or any portion thereof or the green hide or pelt of such game, shall be guilty of a violation of this Part. 1926, c. 4, s. 179.

179. Any person who obstructs or interferes with any Warden or Constable in the discharge of any duty under the provisions of this Part shall be guilty of a violation of this Part. 1926, c. 4, s. 180.

180. It shall be the duty of all Stipendiary Magistrates, Justices of the Peace, Public Officers, Constables and Market Clerks to enforce the provisions of this Part whenever the infringement thereof comes under their notice, and they shall have for that purpose all powers conferred upon Wardens by the provisions of this Part. 1926, c. 4, s. 181.

181. The Minister may in his discretion settle or discontinue any case, either before or after prosecution, upon payment by or on behalf of the accused person of a sum not less than the minimum fine or pecuniary penalty prescribed by this Part for the offence complained of. 1926, c. 4, s. 182.

182. Except as otherwise provided by this Part the proceeds of the sale of licenses and all fees, fines, penalties, proceeds of articles confiscated and other receipts, fees, revenue and payments payable under the provisions of this Part, shall be paid to the Minister and by him paid to the Provincial Treasurer. 1926, c. 4, s. 183.

PENALTIES

183. (1) Any person convicted of violating any

of the provisions of this Act contained in

(a) Section 112, Sub-section (1) 113, 114, 115, 149, Section 154, Sub-section (3) or Section 179 shall incur a penalty of not less than one hundred or more than three hundred dollars;

(b) Section 117, 118, 119, 125, 138, 148 or in Section 154, Sub-section (1) or (2) or in Section 126, Sub-section (3) or (7) shall incur a penalty of not less than fifty or more than two hundred dollars;

(c) Sections 121, 122, 131, 132, 133, 139, 156, 157, 158, shall incur a penalty in the case of moose, caribou, or deer of not less than fifty nor more than two hundred dollars. in the case of otter or mink of not less than thirty or more than one hundred dollars, in the case of beaver, fisher or marten of not less than one hundred or more than five hundred dollars and in all other cases of not less than fifteen or more than fifty dollars;

(d) Sections 135, 136, 137, 151, 152, 153, shall incur a penalty of not less than twenty-five nor more than one hundred dollars.

(e) Section 126 in the case of the English or golden pheasant, shall incur a penalty of not less than fifty nor more than one hundred dollars;

(f) Section 150 shall incur a penalty in the case of a non-resident, of not less than fifty or more than one hundred dollars, and in the case of a resident, of not less than twenty-five nor more than fifty dollars;

(g) any Section or part Section, for which offence no penalty is elsewhere prescribed in this Section, shall incur a penalty of not less than ten, nor more than fifty dollars;

(2) Any person convicted of violating any provisions of any Order-in-Council made under this Part shall incur a penalty of not less than twenty-five nor more than one hundred dollars.

(3) In case of a violation of any of the provisions of this Part requiring a license to be taken out, the amount of the fee payable for such license shall be added to any other penalty imposed for such violation under any of the provisions of this Part.

(4) Any person holding a license issued under any of the provisions of this Part, who vio-

lates any of the provisions of this part, shall forfeit his license in addition to any other penalty which may be imposed.

(5) The Minister may in his discretion refuse a license to any person who has been guilty of a violation of any of the provisions of this Part.

(6) Any person convicted of carrying or having in his possession any gun or other fire-arm or trap or snare, or of hunting, taking, injuring, trapping, snaring, shooting, wounding, killing or destroying any game animal, fur-bearing animal, or other wild animal or any game bird or other wild bird, within the limits of a Game Sanctuary prescribed by Order of the Governor-in-Council, shall incur penalty of not less than \$100 nor more than \$500, provided that this Sub-section shall not apply to any person holding a permit from the Minister to kill, within the limits of the Game Sanctuary, such predatory animals as are stated in the permit. 1926, c. 4, s. 184; 1927, c. 55, ss. 30, 31; 1928, c. 57, s. 23; 1930, c. 51, s. 12.

184. (1) The killing, hunting or taking of each mammal or bird, or the buying, selling, having in possession, exporting or attempting to export of each mammal or bird, or part thereof, or the setting of each snare, or trap, contrary to the provisions of this Part, shall constitute a separate offence, and the fine may be imposed as many times as there are separate offences proved.

(2) Upon the trial of any prosecution under this Part, if it appears that more than one offence of the same kind was committed, whether at the same time or on the same day or not, all the penalties may be imposed in one conviction. 1926, c. 4, s. 185.

185. (1) When a complaint is laid and the information therefor furnished by a person other than a Warden, the Minister may pay a sum not exceeding one-half of the fine so collected to the complainant.

(2) When the complaint is laid by a Warden, under information therefor furnished by any other person, the Minister may pay a sum not exceeding one-quarter of the fine so collected to such informer.

(3) The Minister may, in his discretion, pay to any Warden a proportion, not exceeding one-quarter of any fine recovered in a prosecution instituted by such Warden, and any sum so paid

may be in lieu or in addition to any other remuneration for his services received by such Warden. 1926, c. 4, s. 186.

PROCEDURE AND EVIDENCE

186. The provisions of the "Nova Scotia Summary Convictions Act," and the forms authorized thereunder, as far as applicable and when not inconsistent with this Act shall apply to all prosecutions and proceedings under this Act. 1926, c. 4, s. 198.

187. Every Justice within the Province shall have full jurisdiction over every offence under this Act, whether the same was committed with or without the city, county, town or other district for which such Justice may have been appointed, and irrespective of the amount or extent of the penalty for such offence by this Act imposed; and every summons, order, warrant or other process made or issued by any Stipendiary Magistrate, or Justice, in respect of any offence under the provisions of this Act may be served, executed and enforced by any constable, according to the tenor thereof, in any and every city, county, town or other district within the Province, whether such Constable may have been appointed to act in or for such city, county, town or other district or otherwise. 1926, c. 4, s. 199.

188. It shall not be necessary in any case to bring proceedings under this Act in the county in which the offence was committed nor shall it be necessary to allege the offence to have been committed within any particular county or on any particular day; but the time of committing the offence shall be sufficiently alleged if it is stated to have been committed within one year from the filing of the information or complaint, and the place of committing such offence, shall be sufficiently alleged if it is stated to have been committed within the Province of Nova Scotia. 1926, c. 4, s. 200.

189. (1) The description of an offence in the words of this Act or in any similar words, shall be sufficient and an information or complaint or warrant may be for one or more offences, which, if more than one, may be stated in the alternative or otherwise; and judgment may be entered for each offence as if there had been a separate information or complaint for each, and warrant of commitment may be issued accordingly.

(2) At any time before judgment the Justice may amend or alter any information and may

substitute for the offence charged therein any other offence against the provisions of this Act but if it appears that the Defendant has been materially misled by such amendment the said Justice shall thereupon adjourn the hearing of the case, to some future day, unless the Defendant waives such adjournment. 1926, c. 4, s. 201.

190. Every prosecution under this Part shall be begun within twelve months from the date of the offence and not after, but such limitation shall not run during the absence of the offender from the Province. 1926, c. 4, s. 202.

191. Every person charged with any offence against this Act, and the wife or husband as the case may be, of such person, shall be a competent witness whether the person so charged is charged solely or jointly with any other persons; provided, however, that no husband shall be compelled to disclose any communication made to him by his wife during their marriage, and no wife shall be compelled to disclose any communication made to her by her husband during their marriage. 1926, c. 4, s. 203.

192. In every case in which a fine or pecuniary penalty is imposed or recovered under this Act, the offender or defendant shall be liable, in default of payment, to imprisonment for one day for every dollar of the fine or penalty imposed. 1926, c. 4, s. 204.

193. Notwithstanding anything in this Act contained in every case in which imprisonment is provided for by this Act the party liable thereto may be imprisoned in the common jail of and for the county, district, municipality, incorporated city, town or place in which the conviction is made or in which the Defendant resides, and the warrant of commitment may be addressed to any of the Constables of any such county, district, municipality, incorporated city, town or place in which the conviction is made or the Defendant resides or to any of the persons authorized under the provisions of this Act to execute such warrant and shall be executed by one of such Constables or persons so authorized. 1926, c. 4, s. 205.

194. The Provisions of this Act relating to jurisdiction, penalties, procedure and evidence shall apply to all prosecutions for violation of the game laws or of the laws relating to the protection of the forests or to Crown lands pending or begun after the date of the passing of this Act,

whether the offence was committed before or after such date. 1926, c. 4, s. 206.

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ACTS REPEALED

Chapter 4 of the Acts of 1926,
Chapter 55 of the Acts of 1927,
Chapter 57 of the Acts of 1928,
Chapter 51 of the Acts of 1930,
Chapter 59 of the Acts of 1931,
Chapter 47 of the Acts of 1932,
and Chapter 56 of the Acts of 1933,
are repealed.

Provided however, that the repeal of the said Acts shall not affect any right, privilege, obligation or liability acquired, accrued or incurred or any penalty, forfeiture or punishment incurred in respect of any offence committed against the provisions of any of the said Acts repealed, or any investigation, legal proceedings, or remedy in respect of such right, privilege, obligation, liability, penalty, forfeiture or punishment; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed.

FORM F.

(Section 117)

AFFIDAVIT

Province of
NOVA SCOTIA,
County of

I, of in the County
of make oath and say as follows:

1. I killed a on the
..... day of 19.....
at or near in the County of

2. The skull and antlers with the skin of the
neck and head attached thereto, and the skins of
the legs, which I now exhibit to the Justice, tak-
ing this affidavit, are the skull and antlers and
the skins of the neck and head and legs of such

3. Such was not snared,
trapped or otherwise illegally killed or taken.

4. I have not killed or taken any other
..... since the day of
..... last year.

Sworn to at
in the County of
on the day of
A. D., 19..... before me,

.....
A Justice of the Peace in and for
the said County.

FORM G.

(Section 159)

INFORMATION

Province of
NOVA SCOTIA,

County of

The information of of
in the County of in the Province
of Nova Scotia (Yeoman) who says that he has rea-
son to suspect, and does suspect, that (insert the
object, whether meat, skins, horns or birds, or
parts thereof) was (or were) (describe the of-
fence as killed in close season or killed by dogs) in
the County of by some person or
persons unknown (or name the person) and are
concealed in and upon the premises or property
of in
the (here insert the cause of such suspicion).

Wherefore he prays that a search warrant be
granted to search such property or premises for the
same.

Sworn (or affirmed) before me this
day of A. D., 19..... at.....
in the County of

A Justice of the Peace in and for
the County of

FORM H.

(Section 159)

SEARCH WARRANT

Province of
NOVA SCOTIACounty of
to all or any of the Constables
in the County of

WHEREAS in the
County of has this day made oath
before me the undersigned, that he has reason to
suspect and does suspect, that (describe the ob-
ject, whether meat, skins, horns or birds, or parts
thereof) was (or were) (describe the offence as
killed in close season or killed by dogs) in the
County of by some person or
persons unknown, (or naming the person or per-
sons) and are concealed in or upon the premises or
property of in the said
County of

These are therefore to require you in His
Majesty's name, with proper assistance, diligently
to search such property or premises in the day time
for the said (describe the object, whether meat,
skins, horns or birds, or parts thereof) and if you
find the same or any part thereof, to bring the
same to me, or some other Justice of the Peace or
Stipendiary Magistrate, to be dealt with according
to law.

Given under my hand and seal at.....
in the County of this
day of A. D., 19.....

A Justice of the Peace in and for
the County of

FORM I.

(Section 129)

GAME FARMER'S LICENSE

This License which is issued under the provisions of Section 129 of Chapter 4 of the Acts of Nova Scotia for 1935; "The Lands and Forests Act" authorizes.....of.....in the County of.....to keep in captivity game birds for the purposes of sale, barter, exchange, preservation, consumption, and propagation on the premises defined as follows:

All things authorized or permitted to be done by this License shall be done in accordance with the regulations which have been made or which shall be made under the provisions of sub-section (2) of Section 129 of Chapter 4 of the Acts of Nova Scotia for 1935; "The Lands and Forests Act."

This License expires on the 1st day of August 19.....but it may be revoked at any time by the Minister of Lands and Forests for any reason which he deems sufficient.

This License has been issued by
A person authorized to issue it by the Minister of Lands and Forests.