



BY AUTHORITY.

THE THIRD YEAR OF THE REIGN OF HIS MAJESTY
KING EDWARD VII.

CAP. IX.

An Act in further amendment of "The Liquor License
Act, 1896."

Passed 16th April, 1903.

Be it enacted by the Lieutenant-Governor and Legislative
Assembly as follows:—

1. Notwithstanding anything contained in the Act 1 Edward VII., Chapter 35, intituled "An Act in amendment of The Liquor License Act, 1896," any member of a Board of License Commissioners may be removed from office by the Lieutenant-Governor in Council, at any time before the expiration of the term of office for which such Commissioner may have been appointed.

2. Chapter 28 of the Act 2 Edward VII. is hereby amended by inserting the words "or who sells licenses" between the words "license" and "shall" in the third line of the Preamble of said Act, and also between the words "licenses" and "shall" in the first line of the said Act, and by inserting the words "and who sells licenses or either" between the words "licenses" and "should" in the last line thereof.

CAP. XXXIV.

An Act in further amendment of The Public Health Act.

Passed 9th May, 1903.

Be it enacted by the Lieutenant-Governor and Legislative
Assembly as follows:—

1. If any parent or guardian of a child in respect to whom there has not been produced to the teacher a certificate, as provided by Section 1 of the Act, 2 Edward VII., Chapter 33, persists in bringing such child to a public school contrary to the provisions of said Section after such child has been refused admission by the teacher, or if any such child refuses to leave such school and remain absent therefrom when directed by the teacher so to do, such parent, guardian or child, as the case may be, shall for each offence be liable to a penalty not exceeding eight dollars, to be recovered under The Summary Convictions Act.

2. If it is made to appear to the Lieutenant-Governor in Council that any physician violates any of the provisions of The Public Health Act, or attempts directly or indirectly to obstruct or hinder any Board of Health in enforcing the said Act, or in any other manner thwarts or attempts to thwart the efforts of any such Board of Health in preventing the spread of smallpox, the Lieutenant Governor in Council may, on complaint of such Board of Health, make an order that the name of such physician shall be removed from the Medical Register provided for under The New Brunswick Medical Act, 1881, and upon such order being made a copy thereof shall be forwarded to the Secretary of the New Brunswick Medical Society, who shall thereupon erase the name of such physician from such Register, and thereafter for the period of one year, such physician shall cease to be a registered physician and shall be under like disabilities as if he had not been registered under the said The New Brunswick Medical Act, 1881. Provided that before such order shall be made the physician against whom such complaint is made shall have an opportunity of being heard.

CAP. XLIII.

An Act respecting the protection of Game.

Passed 9th May, 1903.

Be it enacted by the Lieutenant-Governor and Legislative
Assembly as follows:—

Notwithstanding anything contained in Chapter 189 of the Act passed during the present Session to revise and consolidate the general public statutes of New Brunswick, Chapter 33 of said Act shall come into force immediately upon the passing of this Act, and be and continue in force until the coming into force of the Consolidated Statutes, 1903.

(Consolidated Statutes, 1903)

CAP. XXXIII.

RESPECTING THE PROTECTION OF GAME.

SHORT TITLE.

1. This Chapter may be cited for all purposes as "The Game Act." 62 V. c. 8, s. 1.

INTERPRETATION.

2. In this Chapter the following expressions have the meaning assigned to them in this section, unless the context otherwise requires:—

(1) The expression "close season," with reference to each class of game respectively, means the period during which, under the provisions of this Chapter, it is declared to be an offence to do any stated act with reference to such class of game; and the expression "open season," with reference to each class of game respectively, means the period elapsing between any two successive close seasons for such class of game.

(2) The expression "game" includes any animal or bird mentioned in this Chapter, or of a species or class similar thereto.

(3) The expression "hunts" means and includes any chasing, pursuing, worrying, following after or on the trail of, or any searching for, shooting at, stalking, or lying in wait for any game, whether such game be then or subsequently captured, killed, injured, or otherwise.

(4) The expression "takes" means and includes any capturing or taking into one's possession any game whether alive or dead.

(5) "Possession." If there be two or more persons, any one of whom, with the knowledge and consent of the rest, has anything in his custody or possession, it shall be deemed and taken to be in the custody and possession of each and all of them.

(6) The expression "penalty" with reference to an offence under this Chapter includes any fine to which the offender may be liable under this Chapter, and also any imprisonment which, under the provisions hereof, may be imposed in default of the payment or satisfaction of such fine.

(7) The expression "warden" includes the chief game commissioner, a deputy warden, special warden, game guardian, clerk of a market, and every other person temporarily called upon or instructed by a warden to assist in the enforcement of this Chapter.

(8) The expression "justice" includes any justice of the peace, parish court commissioner, stipendiary, police or sitting magistrate, appointed or acting in or for any city, county, town, parish or district within the Province.

(9) The expression "constable" includes any sheriff, deputy sheriff, police officer, constable, bailiff, keeper of a gaol or prison, or other person employed, or deputized for the preservation of the public peace, or for the service or execution of civil process within the Province, and also any warden under this Chapter.

(10) The expression "non-resident" means a person not resident or domiciled within the Province. 62 V. c. 8, s. 2.

OFFENCES IN CLOSE SEASON AND CLOSED DISTRICTS.

3. Every one is guilty of an offence and liable to the penalty hereinafter provided, who, between the dates hereinafter in each case specified, exclusive of each date named in any part (unless otherwise provided) of this Province:—

(1) Hunts, takes, hurts, injures, traps, snares, shoots, wounds, kills or destroys.

(a) Any moose, caribou or deer, in the County of Albert, between the date of the passage of this Chapter and the 15th day of September, A. D. 1903. 62 V. c. 8, s. 8, (a) ii.; 1 Edw. VII. c. 24, s. 4.

(b) Any moose or caribou in any part of the Province, other than those parts thereof included in the last preceding paragraph, between the 31st day of December, in any year, and the 15th day of September then next following.

(c) Any deer in any part of the Province between the dates last mentioned.

(d) Any mink, fisher or sable, between the 31st day of March in any year, and the 15th day of October then next following.

(e) Any partridge between the 30th day of November in any year, and the 15th day of September then next following. 62 V. c. 8, s. 3 (a) iii-vi.

(f) Any partridge in the County of Albert, between the 15th day of September, A. D. 1901, and the 15th day of September, A. D. 1903. 1 Edw. VII. c. 24, s. 2.

(g) Any wild goose, brant, teal, wood duck, dusky duck, commonly called black duck, (except as otherwise provided in section 8), between the 1st day of December, in any year, and the 1st day of September then next following. 62 V. c. 8, s. 3 (a) vii.

(h) Any snipe or woodcock, between the dates last mentioned. 62 V. c. 8, s. 3 (a) viii.

(i) Any shore or other birds, on, or along the beaches, islands, or lagoons, bordering the tidal waters of the counties along Northumberland Strait, the Gulf of Saint Lawrence, and the Bay of Chaleur, between the 31st day of December and the 1st day of September in any year. 63 V. c. 39, s. 3 (2).

(j) Any wild black duck, wood duck, teal duck, or other kind of wild duck, or any snipe, wild goose, or other wild fowl after sunset and before sunrise, any time between the 1st day of August and the 1st day of December in any year, in or upon those certain marsh lands in the Parish of Shediac, in the County of Westmorland, bounded easterly by a road leading northerly