

from the main road to the shore, between the lands of Gregoire Boudreau and lands of Joseph Leger; south-
erly by the line dividing the said marshes from the
upland; westerly by a road leading northerly from the
main road to the sea shore, between the lands of
Dominique Boudreau and lands of Zedel Boudreau;
and northerly to a high ridge or bank of sand which
separates the said marshes from the sea shore, known
as Boudreau marshes, and the Barachois; or in or upon
any of the creeks or ponds thereon. 2 Edw. VII. c.
36, s. 3.

- (k) Any muskrat, in the Counties of Kings's, Queen's and
Sunbury, between the 10th day of June in any year,
and the 10th day of March then next following. 62 V.
c. 8, s. 3 (a) ix.
- (l) Any beaver, between the date of the passage of this
Chapter and the 1st day of July, A. D. 1904. 1 Edw.
VII. c. 4.
- (2) Has in one's possession, between the dates last men-
tioned, the undressed skin of any beaver killed in this
Province. 62 V. c. 8, s. 3 (b).
- (3) Buys or sells, or offers, or exposes for sale (except as
otherwise provided in sections 8 and 48),
(a) Any partridge between the date of the passage of this
Chapter and the 15th day of September, A. D. 1903.
63 V. c. 39, s. 1.
- (b) The carcass, or any portion thereof, or the green hide
or pelt, or nest or eggs of any other class of game during
the close season for such game in this section provided.
62 V. c. 8, s. 3 (c) ii.
- (4) Wilfully refuses to furnish information, wilfully fur-
nishes false information to a warden or constable, respecting
the existence of, or the place of concealment or storage of any
game or the carcass or any portion thereof, or the green hide
or pelt of such game. 62 V. c. 8, s. 3 (d).

OFFENCES AT ALL SEASONS.

4. Everyone is guilty of an offence and liable to the penalty
hereinafter provided, who, at any time or season hereafter,
in any part of the Province (62 V. c. 8, s. 4):—

- (1) Hunts, takes, hurts, injures, traps, snares, shoots,
wounds, kills or destroys.
(a) Any calf moose under the age of one year, or any cow
moose, or who has in his possession the carcass of any
such calf moose, or of any cow moose, or any portion
thereof. 62 V. c. 8, s. 4 (a) i.; 2 Edw. VII. c. 36, s. 1.
- (b) Any game on Sunday. 62 V. c. 8, s. 4 (a) ii.
- (c) Any game in any park, pleasure resort, land or forest,
now or hereafter set apart or reserved for public park
purposes. 62 V. c. 8, s. 4 (a) iii.
- (d) Any sea-gull, pheasant or any small birds which
frequent the fields and woods (except such birds as to
which special provisions are made in this Chapter, and
excepting also blackbirds, crows and English sparrows),
or removes, damages, or destroys the nest or eggs
thereof. 62 V. c. 8, s. 4 (a) iv.
- (e) Any moose, caribou or deer by means of, through the
use of, or with the assistance of any artificial light or
lights. 62 V. c. 8, s. 4 (a) v.
- (f) Any wild goose, brant, teal, wood-duck, du-ky-duck,
commonly called black-duck, with or by means of any
punt gun or swivel-gun (not including the ordinary
musket or fowling-piece), or by means of, through the
use of, or with the assistance of, any net or nets, or
artificial light or lights. 62 V. c. 8, s. 4 (a) vi.
- (g) Any moose, caribou or deer through the means of,
with the assistance of, or when such person is accom-
panied by any dog; but no one is guilty of an offence
who merely uses a dog or dogs to assist in expelling
such game from any field to him belonging and then
being in a state of actual cultivation. 62 V. c. 8, s. 4
(a) vii.
- (2) Traps or snares, or sets any trap or snare for,
(a) Any moose, caribou or deer. 61 V. c. 8, s. 4 (b) i.
- (b) Any other game, except fur-bearing animals. 62 V.
c. 8, s. 4 (b) ii.
- (3) Brings or carries within any park, pleasure resort, or
land, or forest set apart or reserved for public park purposes,
any gun or other firearm (excepting, however, wardens,
constables, or park officials); or without the consent of the
owner of the land, carries firearms upon or over any wood-
lands which are enclosed and have roads constructed therein,
and are open to the use of the public as a place of recreation,
and have become more or less places of public resort. 62 V.
c. 8, s. 4 (c); 2 Edw. VII. c. 37, s. 4.
- (4) Obstructs or interferes with a warden or constable in
the discharge of his duties. 62 V. c. 8, s. 4 (d).
- (5) Not being the actual owner of the property in section
5, sub section (1) described, falsely and wilfully represents
himself as such, for the purpose of effecting the transpor-
tation thereof. 62 V. c. 8, s. 4 (e).
- (6) Disturbs, injures, gathers, or takes at any time the
eggs of any species of partridge, wild duck, wild goose, or of
any other wild fowl, the hunting of which is regulated by
this Chapter. 55 V. c. 19, part.

OFFENCES RESPECTING TRANSPORTATION AND EXPORT OF GAME.

5. Every corporation, railway, express, company, or other

common carrier, or person acting as a common carrier, shall
be guilty of an offence and liable to the penalty hereinafter
provided, who, at any time or season hereafter in any part
of the province:—

- (1) Carries or transports from place to place any live moose,
caribou or deer, or the carcass or any portion thereof, or the
green hide of such game, unless the same be accompanied
by the owner thereof, and be open to view and tagged or
labelled with the owner's name and address.
- (2) Carries or transports without the Province any live
game, or the carcass or any portion thereof, or the green
hide or pelt of any game. Nothing herein shall apply to
game transported or exported on the special permit of the
Surveyor General, under the provisions of section 49, or to
the transportation of heads or hides of moose, caribou or
deer, shipped or delivered to any *bona fide* taxidermist
within the Province. 62 V. c. 8, s. 5.

6. Every person shall be guilty of an offence, and liable to
the penalty hereinafter provided, who, at any time.

- (1) Hunts, takes or kills any partridge for the purpose of
exporting the same, or
- (2) Exports, or attempts to export out of New Brunswick,
any partridge, hunted, taken or killed within the Province.
63 V. c. 39, s. 13 (1), *am*.

OFFENCES DURING OPEN SEASON.

7. Every one is guilty of an offence, and liable to the
penalty hereinafter provided, who, during any open season
for moose, caribou or deer (62 V. c. 8, s. 6):—

- (1) Hunts, takes, hurts, injures, shoots, wounds, kills, or
destroys,
(a) Any moose or caribou without being the holder of a
license so to do, as provided for in section 44. 62 V. c.
8, s. 6 (a) i.; 1 Edw. VII. c. 24, s. 1.
- (b) Being the holder of such license, more than the number
of moose or caribou in such license stated. 62 V. c. 8,
s. 6 (a) ii.
- (c) More than two deer. 62 V. c. 8, s. 6 (a) iii.
- (d) Any moose or caribou in the night time, that is to say,
between one hour after sunset and one hour before
sunrise. 1 Edw. VII. c. 24, s. 3.
- (2) Being a non-resident, and not then holding a license so
to do, as provided in section 44, sub-section (b), or (c), accom-
panies in the woods, or acts as guide or camp help for any
person hunting or intending to hunt moose or caribou. 62
V. c. 8, s. 6 (b).
- (3) Being a resident, and not then holding an unexpired
license, so to do, as approved in section 44, sub-section (b),
accompanies in the woods as a guide, any person hunting or
intending to hunt moose or caribou. 62 V. c. 8, s. 6 (c).
- (4) Whether licensed or unlicensed, resident or non-resi-
dent, accompanies in the woods as a guide, any unlicensed
person hunting or intending to hunt moose or caribou. 62
V. c. 8, s. 6 (d).
- (5) Being a non-resident of the Province, hunts, takes,
hurts, injures, shoots, wounds, or destroys, within the
County of Westmorland, any deer, mink, fisher, sable, muskrat
or beaver, or any game birds mentioned in section 3 of this
Chapter, without being the holder of a license so to do, as
provided by section 44, sub-section (d), or acts as driver,
hunter, guide, or companion of any person so hunting with-
out license. 63 V. c. 39, s. 3 (1), *part*; s. 7, *ibid*.
- (6) Being the holder of a license, as in this section re-
ferred to, fails, neglects, or refuses to produce the same, or
to suffer or permit the examination thereof, when thereto
requested or required by any warden or constable. 62 V. c.
8, s. 6 (e).

EXCEPTIONS TO OFFENCES.

8. Notwithstanding anything in this Chapter contained it
shall be lawful to

- (a) Hunt, take, shoot or kill:—
1. Any wild goose or brant, in any locality frequented by
such game, provided the same be done by a *bona fide* resident
of such locality, and for the domestic use only of such resi-
dent, except in the case forbidden by clause (1) of sub section
1 of section 3 of this Chapter. 62 V. c. 8, s. 7 (a) i, *am*.
- 2. Any game for preservation as specimens of natural
history, or for scientific investigation, provided a license
therefor is first obtained as provided in section 49 of this
Chapter. 62 V. c. 8, s. 7 (a) ii.
- (b) Buy, sell, offer or expose for sale:—
1. Any wild goose or brant between the end of the close
season for killing such game, in any year, and the first day
of March then next following. 64 V. c. 8, s. 7 (b) i.
- 2. Any partridge within the County of Northumberland,
provided that such partridge be killed in open season within
such county, and be not exported therefrom. 62 V. c. 8, s. 7
(b) ii.

PENALTIES.

9. Any person convicted of an offence against this Chapter
shall be adjudged to pay a fine of an amount not more than
the maximum nor less than the minimum amount prescribed
for such an offence in schedule (A), and in such schedule ap-
pearing opposite the number of the section, sub-section, and
bracketed letter, or section and bracketed sub-section, of this
Chapter, in which such offence is stated, and in default of pay-
ment or satisfaction of such fine, to suffer imprisonment for a