



ANNO QUINTO

GULIELMI IV. REGIS.

(2ND SESSION.)

CAP. IV.

An ACT for the protection of the Breeding of Hares and Wild-fowl.

[8th May, 1835.]

WHEREAS in times past Wild-fowl of various species and in vast numbers abounded upon the shores and coasts of this Island and its Dependencies, affording to the poor Inhabitants of this Colony, more especially in seasons of scarcity and want, ample and ready means of wholesome sustenance; but in consequence of the extensive traffic of late years carried on in the Eggs of the aforesaid Wild-fowl, such great quantities of the said Eggs have been destroyed and taken away, that the numbers of the said Wild-fowl are very greatly decreased, and it is feared that the brood thereof will soon be utterly exterminated, to the serious detriment of the Inhabitants of this Colony, unless speedy measures be adopted for suppressing the evil practices aforesaid:—For remedy thereof, *Be it therefore enacted*, by the Governor, Council, and Assembly of Newfoundland, in Parliament assembled, and by the authority of the same, that from and after the expiration of One Month from the passing of this Act, no Person or Persons whomsoever shall, within this Island or its Dependencies, break or destroy, or use, take, or carry away, or sell, or expose to sale, any of the Eggs of the various species of Wild-fowl which resort to and frequent the Shores, Coasts, or other parts of this Island, or of the Islands or Dependencies within the Government thereof, nor by any ways or means whatsoever, remove, kill, destroy or disturb any of the said Sea-Birds or Wild-fowl during the time of their breeding: And all and every Person and Persons who shall on any pretence whatsoever use, break, destroy, remove and carry away, sell or expose for sale, or have in his, or their custody or possession, any of the Eggs of the aforesaid Sea-Birds or Wild-fowl, or shall by any ways or means whatsoever remove, kill, destroy or disturb any of the said Sea-Birds or Wild-fowl, during the time of their breeding, that is to say, between the Tenth day of May and the First day of September in each year, shall, for each and every such offence, forfeit and pay to our Sovereign Lord the King, his Heirs and Successors, a sum not less than Ten Shillings nor more than Fifty Pounds sterling.

Preamble.

Commencement of Act.

Eggs of Wild-fowl, prohibited to be taken or destroyed;

and the Wild-fowl, during their breeding season.

Penalty.

Hares and Partridges not to be taken or killed between 20th April and 20th August.

II.—And whereas it is necessary that measures be adopted for the preservation of Hares, and of the several species of Birds or Fowl usually called Partridges, during the time of their Breeding: *Be it further enacted*, by the authority aforesaid, that from and after the expiration of One Month from the passing of this Act, no Person or Persons whomsoever shall, on any pretence whatsoever, kill any Hare or Partridge within this Island or its Dependencies, from the Twentieth day of April, until the Twentieth day of August, in any Year.

Penalty.

III.—*And be it further enacted*, that every Person who shall kill or destroy, or sell or expose to sale, or who shall buy or cause to be bought, any Hare or Partridge, within the respective times hereinbefore mentioned, shall, for every Hare or Partridge killed, destroyed, sold, or exposed to sale, forfeit and pay to our Sovereign Lord the King, his Heirs and Successors, the sum of Ten Shillings sterling.

Recovery and application of Penalties.

IV.—*And be it further enacted*, that all Fines and Forfeitures incurred under this Act, shall and may be sued for and recovered on the Oath of one or more credible Witness or Witnesses, or by the confession of the party before any one of His Majesty's Justices of the Peace, for any of the Districts of this Island, and shall be levied with Costs on the Goods and Chattels of the Offender, and be paid to the Informer: *Provided always*, that all Informations and Prosecutions for any of the above Offences, shall be made and commenced within Three Months after any such Fine or Forfeiture shall have been incurred.

Information to be lodged within three months.

Act not to extend to poor settlers killing game for their own use.

V.—*And be it further enacted*, that nothing in this Act shall extend, or be construed to extend, to any poor Settler who shall kill any Hare or Partridge, within the times hereinbefore mentioned, for his own use.

Limitation.

VI.—*And be it further enacted*, that this Act shall continue and be in force for the period of Five Years, and from thence until the end of the then next Session of the Parliament of this Colony.