

Laws of Her Majesty's Province of Newfoundland, passed in the year 1853.

16 Victoria – Chapter 14

An Act for the Protection of the Breeding of Wild Fowl. (Passed 15th June, 1853.)

Whereas it is necessary to prevent the extermination of the Wild Fowl of this Colony:—

Be it therefore enacted, by the Governor, Council, and Assembly, in Legislative Session convened, as follows:

I. From and after the expiration of One Month from the passing of this Act, no Person 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 other Wild Fowl during the time of their Breeding.

II. Every Person who shall, on any pretence whatsoever, use, break, destroy, remove or carry away, sell or expose for sale, or have in his custody or possession any of the Eggs of the said 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 other 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 Her Majesty the Queen a sum not less than Ten Shillings nor more than Ten Pounds Sterling for every offence.

III. After the expiration of One Month from the passing of this Act, no Person shall, on any pretence whatsoever, kill or purchase any Partridge within this Island or its Dependencies, from the Twentieth day of April until the Thirty-first day of August, in any year.

IV. Every Person who shall kill or destroy, or sell, or expose to sale, or who shall buy or cause to be bought any Partridge, within the respective times last hereinbefore mentioned, shall, for every Partridge killed, destroyed, sold, or exposed to sale, forfeit and pay to Her Majesty the Queen the sum of Ten Shillings Sterling.

V. All Fines and Forfeitures that may be incurred under this Act shall be sued for and recovered on the oath of one or more credible Witness or Witnesses, or on the confession of the party offending, before any one Justice 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; and in case such offender shall not have any goods or chattels on which to lay such fine and costs, or in case he shall make default in the payment thereof, such Justice shall then commit such offender to the common gaol for any time not exceeding One Month, unless such fine and costs shall be sooner paid and satisfied: 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.

VI. Nothing in this Act shall extend, or be construed to extend, to any Poor Settler who shall kill any Partridge, or any other Wild Fowl or Sea Bird, or take any Eggs, for his own immediate consumption or that of his family.

VII. That this Act shall continue and be in force for the period of Three Years, and from thence until the end of the then next Session of the Legislature of this Colony.