

## ACT FOR THE PROTECTION OF INSECTIVOROUS AND OTHER BIRDS.

CHAP. 289, R. S. O. 1897.

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Nothing in this Act contained shall be held to affect *The Ontario Game Protection Act*, or to apply to any imported cage birds or other domesticated bird or birds generally known as cage birds, or to any bird or birds generally known as poultry.

**2.—(1)** Except as in section 6 of this Act provided, it shall not be lawful to shoot, destroy, wound, catch, net, snare, poison, drug, or otherwise kill or injure, or to attempt to shoot, destroy, wound, catch, net, snare, poison, drug or otherwise kill or injure any wild native birds other than hawks, crows, blackbirds and English sparrows, and the birds especially mentioned in *The Ontario Game Protection Act*.

**(2)** Any person may, during the fruit season, for the purpose of protecting his fruit from the attacks of such birds, shoot or destroy, on his own premises, the bird known as the robin without being liable to any penalty under this Act.

**3.** Except as in section 6 of this Act provided, it shall not be lawful to take, capture, expose for sale or have in possession any bird whatsoever, save the kinds hereinbefore or hereinafter excepted, or to set wholly or in part any net, trap, spring, snare, cage, or other machine or engine, by which any bird whatsoever, save and except hawks, crows, blackbirds, and English sparrows, might be killed and captured; and any net, trap, spring, snare, cage or other machine or engine, set either wholly or in part for the purpose of either capturing or killing any bird or birds save and except hawks, crows, blackbirds and English sparrows, may be destroyed by any person without such person incurring any liability therefor.

**4.** Save as in section 6 of this Act provided, it shall not be lawful to take, injure, destroy, or have in possession any nest, young, or egg of any kind whatsoever, except of hawks, crows, blackbirds, and English sparrows.

**5.** Any person may seize, on view, any bird unlawfully possessed, and carry the same before any justice of the peace, to be by him confiscated, and if alive, to be liberated; and it shall be the duty of all market clerks and policemen or constables on the spot to seize and confiscate, and if alive, to liberate such birds.

**6.** The chief game warden for the time being, under *The Ontario Game Protection Act*, may on receiving from any ornithologist, or student of ornithology, or biologist, or student of biology, an application and recommendation according to the forms A and B in the schedule hereto, grant to such an applicant a permit in the form C in said schedule, empowering the holder to collect, and to purchase, or exchange, all birds or eggs, otherwise protected by this Act, at any time or season he may require the same for the purposes of study, without the liability to penalties imposed by this Act