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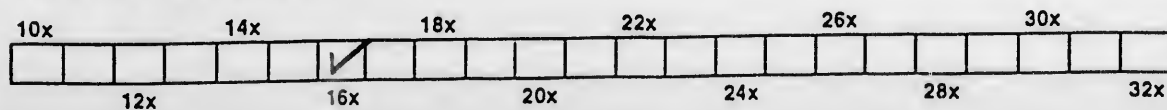
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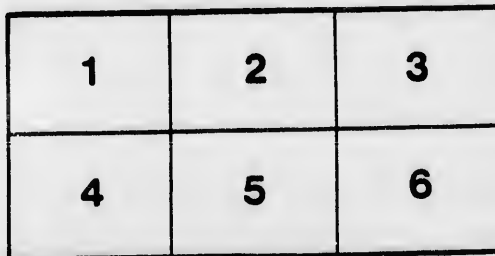
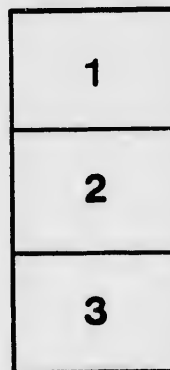
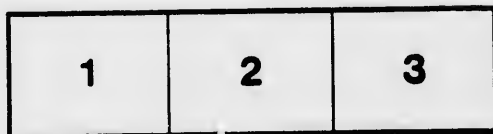
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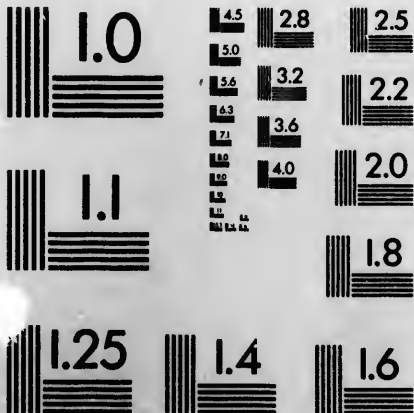
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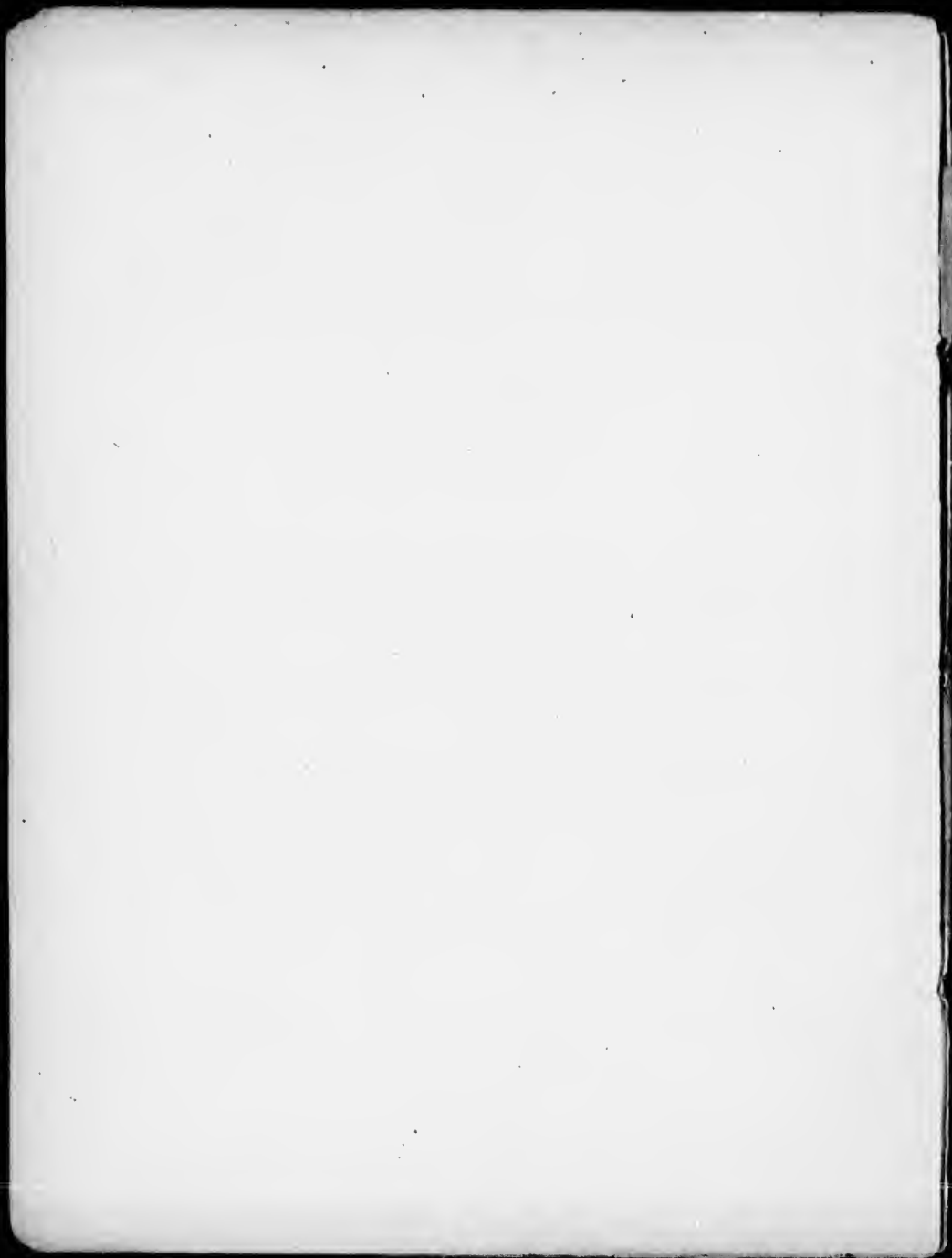
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ONTARIO
GAME AND FISHING
LAWS.

A DIGEST.

A. H. O'BRIEN.

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ONTARIO

Game and Fishing

LAW S

A Digest, alphabetically arranged, with references to
the various Statutes and Orders in Council in force on
October 1st, 1894.

BY

A. H. O'BRIEN, M.A.,
Barrister-at-Law.

SECOND EDITION.

Issued under the authority of the Ontario Fish and Game Commissioners.

TORONTO:
1894.

81681

PREFACE TO THE FIRST EDITION.

The difficulty of ascertaining the law from the network of original and amended statutes, both of the Dominion and the Ontario Legislatures, and from the various Orders in Council suspended and re-enacted, is the reason for the issue of this Digest.

With regard to game, the Dominion Parliament has not, nor does it claim, jurisdiction, but with regard to fish both governments now lay claim over all waters within this Province; at the time, however, of the passing of many of the Acts referred to herein, the Legislature of Ontario claimed jurisdiction over non-navigable and inland waters only, and the Dominion Parliament similarly over navigable streams and the greater lakes.

This Digest is a synopsis of the whole law, so far as it relates to the various animals, birds and fish protected by it, and is intended both as a hand-book for the guidance and protection of sportsmen, and also as a book of reference for those whose duty or privilege it is to enforce the laws for the protection of the stock of game in this Province already so much depleted.

Toronto, Nov. 1st., 1892.

A. H. O'B.

PREFACE TO THE SECOND EDITION.

The numerous alterations, in both the game and fishing laws, made since the publication of the first edition, have necessitated a complete revision of this Digest, and the number of headings, as well as the cross references, have been largely increased.

The respective rights of the Dominion and Provincial authorities to make laws regulating fishing are, at the date of writing, still unsettled, but there is now standing for argument in the Supreme Court of Canada a case stated for the opinion of the judges, which will define the jurisdiction to be exercised by each legislature in both navigable and non-navigable waters.

Toronto, Oct. 1st, 1894.

A. H. O'B.

EXPLANATIONS AND ABBREVIATIONS.

"D." following a reference, denotes an Act of the Dominion Parliament.

"O." following a reference, denotes an Act of the Legislature of Ontario.

"C.O.C."=Consolidated Orders in Council (Dominion) 1889.

"D.O.C." followed by the month and day, refers to a Dominion Order in Council.

"D.O.C." followed by a year date, refers to an Order in Council bound with the Statutes of Canada of that year.

"O.O.C." refers to an Ontario Order in Council of May 26th, 1887.

"G.P.A."="The Ontario Game Protection Act, 1893," being 56 Vict. c. 49, O.

"R.S.C."=Revised Statutes of Canada, (1886.)

"R.S.O."=Revised Statutes of Ontario, (1887.)

"ib."=Same reference as the one preceding.

"Commissioner"=Commissioner of Crown Lands, (Toronto.)

"Minister"=Minister of Marine and Fisheries, (Ottawa.)

The words "hunt," "take," and "kill," with regard to game, and "fish for," "catch," and "kill" with regard to fish, are usually interchangeable.

All vessels, vehicles, fishing implements, etc., used in violating the Fisheries Act, and also all fish so caught are liable to be confiscated. (57 Vict. c. 51, s. 8, D.)

Under the Fisheries Act, (R.S.C., c. 95), each day during which an infraction of the Act continues, constitutes a separate offence. (ib. s. 9.)

When no reference is given to any particular animal, bird or fish, there is no law relating to it; but see title "Insectivorous Birds."

DIGEST.



ANIMAL—No animal of any kind may be killed by a non-resident either of Ontario or Quebec, unless a license is obtained. (G.P.A., s. 14, s-s. 1.)

See GAME ANIMAL.

BAIT—Small trout may be used by fishermen for baiting traps. (R.S.C. c. 95, s. 9, s-s. 4.)

BAITED LINES—*See TRAPS.*

BARFISH—Spears, grapnel hooks, negog and nishagans prohibited. (R.S.C. c. 95, s. 14, s-s. 8.)

Meshes of seines must be three inches wide.
(ib. s-s. 10.)

BASS—Close season May 10th to June 30th, both days inclusive. (D.O.C. May 13, 1893.)

Spears, grapnel hooks, negog and nishagans prohibited. (R.S.C. c. 95, s. 14, s-s. 8.)

Hook and line only may be used to catch. (55 Vict. c. 10, s. 9, O.)

Not more than 12 may be caught in one day by one tourist. (ib. s. 5.)

When under 10 inches long must be returned to the water. (ib. s. 6.)

BEAVERS—May not be killed before Nov. 1st, 1897. (G.P.A., s. 8, s-s. 2.)

Close season between April 1st and Nov. 1st.
(ib. s-s. 1.) *But see above.*

See TRAPS.

BIRDS—No bird of any kind may be killed by a person not a resident either of Ontario or Quebec unless a license is obtained. (G.P.A., s. 14, s-s. 1.)

See GAME BIRD—INSECTIVEROUS BIRDS—TIME—WILD FOWL.

BOARD—*See* FISH AND GAME COMMISSIONERS.

BROOK AND RIVER TROUT—Close season between Sept. 15th and Jan. 1st. (R.S.C. c. 95, s. 9, s-s. (a).)

Spears, grapnel hooks, negog and nishagans prohibited. (ib. s. 14, s-s. 8.)

Hook and line only may be used to catch unless net license obtained. (55 Vict. c. 10, s. 9, O.; R.S.C., c. 95, s. 9, s-s. 2.)

50 Brook trout only may be caught in one day by one person. (55 Vict. c. 10, s. 7, O.)

15 lbs. weight only of Brook Trout may be taken in one day by one person. (ib)

Brook trout under 5 inches must be returned to the water. (ib. s. 8.)

See SPECKLED TROUT.

CARIBOU—*See* DEER.

CHIEF FISH AND GAME WARDEN — Appointed by
Lieut.-Governor in Council. (G.P.A., s. 12.)

May appoint Deputy Wardens on authorization of
Board. (ib.)

Is a J. P. for the purposes of "The Ontario Game Protec-
tion Act, 1893." (ib. s-s. 2.)

See **WARDEN.**

CISCOES — Close season **Oct. 15th to Nov. 30th.**,
both days inclusive. (D.O.C., 1892 ; p. xxv.)

CONSTABLES — *See* **DEPUTY WARDENS.**

CROWN LANDS are ungranted lands belonging
to the Province, and include land covered by water.
(R.S.O., c. 32, s. 3, s-s 1.)

CROWN LANDS' AGENTS. — *See* **DEPUTY WARDENS.**

CRUSTING. — *See* **DEER.**

DEER. — Close season **Nov. 15th to Oct. 20th** in
following year, but **no moose, elk, reindeer or**
caribou may be hunted before Oct. 25th, 1895.
(G.P.A. s. 2, s-s. 1.)

Only 2 deer, moose, elk, reindeer or caribou
may be taken in one season by one person. But this
does not apply to deer which are private property. (ib.
s-s. 3.)

Hunting by crusting or when deer are **yarding** is pro-
hibited. (ib. s-s. 4.)

No person may transport or have in possession,
except from Oct. 20th to Nov. 22nd, any wild **deer, skin**
or venison, unless accompanied by affidavit that same
was taken during open season. (ib. s-s. 5.)

No deer of any kind **may be taken or killed for exportation**, or be exported out of Ontario. This does not apply to deer the **private property** of any person, and killed by him or with his consent and upon his own lands. (ib. s. 6; 57 Vict. c. 33. s. 16, D.)

Traps, etc., may not be set for. (G.P.A. s. 7.)

See **DOGS—EXPORTATION.**

DEPUTY WARDENS, appointed by Board or Chief Game Warden. (G.P.A. s. 12, s-s. 1.)

To seize all birds and animals in possession of any person contrary to G. P. Act. and to bring such person before a J. P. (ib. s. 15, s-s. 1.)

To search any receptacle in which they believe game taken out of season is hidden. (ib. s-s. 2.)

May arrest any person violating the game laws in their presence. (ib. s. 16, s-s. 1.)

Persons with power of deputy wardens. Sheriffs, deputy-sheriffs, constables, police, wood rangers, Crown Lands' agents, timber agents, fire wardens, and fishery inspectors or overseers are vested with all the powers of deputy wardens. (ib. s-s. 2.)

DOGS. — **No hound or dog accustomed to pursue deer allowed at large** where deer are found, during close season for deer. (G.P.A., s. 2, s-s. 2.)

Any hound or dog running deer during the close season **may be killed on sight** by any person, who shall not be liable to damages for so doing. (ib.)

DUCKS. — **Close season between Dec. 15th and Sept. 1st.** (G.P.A. s. 3, s-s. 1 (d.))

Not more than 400 may be killed in one season by one person. (ib. s-s. 3.)

Killing from sail boats or steam yachts prohibited. (ib. s. 4, s-s. 1.)

Killing by batteries, swivel guns and sunken punts prohibited. (ib)

See EXPORTATION—LICENSE—TIME—TRAPS.

DYNAMITE—*See* EXPLOSIVES.

EELS—**May be caught by weirs and mill-dams**, but not so as to deprive other weirs of a share in the run of eels. (R.S.C., c. 95, s. 14, s-s. 4.)

May not be taken by spear or torch during October and November in any waters frequented by salmon or trout. (D.O.C., June 19, 1894.)

EGGS—**of game birds may not be taken**, destroyed, or had in possession at any time. (G.P.A., s. 4, s-s. 3.)
But see below.

Ornithologists and biologists may obtain from Chief Game Warden a permit to collect eggs at any time for the *bona fide* purpose of study. (52 Vict. c. 50, s. 6, O.; 57 Vict. c. 57, s. 5, O.)

ELK—*See* DEER.

EVIDENCE—**An accused person and the person laying the information are competent and compellable to give evidence** at any trial, etc. (G.P.A., s. 18; 55 Vict. c. 10, s. 24, O.)

EXPLOSIVES—**Use of dynamite or other explosive materials to kill fish prohibited.** (C.O.C., p. 655; 55 Vict. c. 10, s. 12, O.; 57 Vict. c. 51, s. 1, D.)

EXPORTATION — No game bird or animal may be hunted or killed for exportation or be exported out of Ontario. (G.P.A., s. 6); but as to Ducks *see* **LICENSE**.

No deer, wild turkey, quail, partridge, prairie fowl or woodcock may be exported. (57 Vict. c. 33, s. 16, D.)

FINES — *See* **PENALTIES**.

FIRE ARMS — Killing of fish by, prohibited. (D.O.C., 1892, p. xxvi.)

FIRE WARDENS — *See* **DEPUTY WARDENS**.

FISH — May not be taken by nets without a license. (55 Vict. c. 10, s. 10, O.)

May not be killed by explosive materials. (57 Vict. c. 51, s. 1, D.)

May not be caught to use as manure. (ib. s. 5.)

See **POLLUTION OF FISHING GROUNDS**.

FISH AND GAME COMMISSIONERS — Board composed of 5 members appointed for three years by Lieutenant-Governor in Council, who may fill vacancies. Commissioners may be re-appointed on expiration of their term of office. (G.P.A., s. 11.)

Board to make rules for wardens. (ib. s-s. 3.)

Board to take measures to enforce game laws, propagate fish, collect information and statistics, etc. (ib. s. 13.)

May appoint Deputy Wardens and dismiss them in their discretion. (ib. s. 12.)

Members of Board : G. A. MacCallum, M.D., (President) Dunnville ; H. P. Dwight, Toronto ; W. B. Wells, Chatham ; W. G. Parish, Athens ; A. D. Steward, (Secretary), Hamilton. (Ontario Gazette June 18, 1892.)

FISH PONDS — Destroying dams or floodgates of a fish pond, or putting in lime to destroy fish, is a misdemeanor. (R.S.C. c. 168, s. 34.)

FISH POUNDS — See **ILLEGAL CONTRIVANCES.**

FISHERY INSPECTORS AND OVERSEERS — See **DEPUTY WARDENS.**

FISHERY OFFICERS — Governor in Council may appoint, who have powers of J. P.'s. (R.S.C. c. 95, s. 2 ; s. 17, s-s. 7.)

May require fish-ways to be made in dams, where directed by Minister. (ib. s. 13, s-s. 1.)

May prescribe distance between fishery limits. (ib. s. 14, s-s. 11.)

May convict on view, detain any fishing materials unlawfully in use, and search any vessel or place for this purpose. (ib. s. 17.)

Local officers to settle disputes about fishing limits, etc., and the position or use of nets. (ib. s. 17, s-s. 5.)

FISH WAYS — Every dam, slide or obstruction across any stream must, when the Minister considers it necessary, be provided with a fish way by the owner or occupier ; the place and form whereof may be prescribed by the Fishery Officer. (R.S.C. c. 95, s. 13, s-s. 1.)

Must be kept open and supplied with water. (ib. s-s. 3.)

Fish may not be caught in. (R.S.C. c. 95, s. 14, s-s. 6; 55 Vict. c. 10, s. 11, O.)

FOREIGNER — *See* LICENSE.

GAME BIRD AND GAME ANIMAL means a bird or animal protected by the provisions of "The Ontario Game Protection Act, 1893." (G.P.A., s. 28.)

Close season between Dec. 15th and Sept. 15th for game birds and animals not otherwise provided for. (ib. s. 3., s-s. 1. (a).)

Traps, nets, snares, gins, baited lines, etc., may not be set for any game bird or animal, and if set **may be destroyed** by any person without incurring any liability therefor. (ib. s. 7.)

GEESE — **Close season between May 1st and Sept. 15th.** (G.P.A., s. 3, s-s. 1. (c).)

May not be killed by batteries, swivel guns or sunken punts. (ib. s. 4, s-s. 1.)

See TIME—TRAPS.

GINs — *See* NETS—TRAPS.

GRAPNEL HOOKS — *See* SPEARING.

GRAYLING — **Hook and line only may be used to catch,** unless net license obtained. (O.O.C.)

GROUSE — **Close season between Dec. 15th and Sept. 15th.** (G.P.A. s. 3, s-s. 1. (a))

See TIME—TRAPS.

HARES — Close season between Dec. 15th and Sept. 15th. (G.P.A., s. 3, s-s. 1 (a).)

Cotton-tail rabbit may be destroyed. (ib. s-s. 4.)

See **RABBITS—TRAPS.**

HERRING — Close season Oct. 15th to Nov. 30th, both days inclusive. (D.O.C. 1892, p. xxv.)

Spears, grapnel hooks, negog and mishagans prohibited. (R.S.C. c. 95, s. 14, s-s. 8)

Hook and line only may be used to catch, unless net license obtained. (O.O.C.)

HOUND — See **DOGS.**

ICE — Fishing for speckled trout through the ice prohibited. (D.O.C. 1892, p. xxxvii.)

ILLEGAL CONTRIVANCES — Bag-nets, trap-nets and fish pounds prohibited. (R.S.C. c. 95, s. 14, s-s. 7.)

Spears, grapnel hooks, negog and mishagans prohibited for catching salmon, trout or lunge, maskinonge, winaniche, bass, barfish, pickerel, white-fish, herring or shad. (ib. s-s. 8)

Batteries, swivel guns and sunken punts for killing swans, geese or ducks, prohibited. (G.P.A. s. 4, s-s. 1.)

May be destroyed by any person without being liable for damages. (ib. s. 7.)

Torchlight fishing prohibited. (O.O.C.)

See **TRAPS.**

INDIANS — Game laws do not apply to Indians or settlers in an unorganized township, or territory divided into townships when the game is killed for their own food. (G.P.A. s. 27 ; 57 Vict. c. 57, s. 6, O)

May fish with night lines and set lines in certain cases. (55 Vict. c. 10, s. 14, O.)

INSECTIVEROUS BIRDS—Killing, wounding or catching any bird is prohibited, except hawks, crows, blackbirds, English sparrows, and game birds in their open season. (52 Vict. c. 50, s. 2, s-s. 1); but robins attacking fruit may be killed. (ib. s-s. 2.)

Ornithologists and biologists may obtain from Chief Game Warden a permit to take birds other than those above mentioned. (ib. s. 6; 57 Vict. c. 57, s. 5.)

LAKE TROUT—Close season between Oct. 15th and Dec. 1st. (R.S.C. c. 95, s. 9, (a).)

Spears, grapnel hooks, negog and nishagans prohibited. (ib. s. 14, s-s. 8)

May not be taken by nets etc., without a license. (55 Vict. c. 10, s. 10, O.)

LEASE—See LICENSE.

LICENSE—Fishing with nets prohibited without a lease or license. (C.O.C. p. 656; 55 Vict., c. 10, s. 10, O.)

Minister may issue lease or license for fishing, but if for a term exceeding 9 years, it must be under authority of the Governor-in-Council. (R.S.C., c. 95, s. 4.)

Foreigners may not fish for Bass, Maskinonge, Pike, Perch (Pickerel) or Trout without an angler's permit issued by the local fishery officer, under authority of Minister. The fee is \$5 for 3 months, or \$10 for 6 months. Such permit must have holder's name on it; is not transferable; and must be produced whenever demanded by a fishery officer. Only 1 fishing line with not more than

3 hooks may be used. Only 12 bass, pike or perch (pickerel), 20 trout and 4 maskinonge may be taken in a day. No bass, pike, or perch (pickerel), must be under 10 inches, or trout under 6 inches, or if such be caught must be returned to the water, alive if possible. Under such permit no fish may be exported or sold.

Persons holding leases of fishing rights are not affected by the above regulations.

Foreigners temporarily domiciled in Canada who employ Canadian boats and boatmen do not require the above permit. ("Temporarily domiciled"—stopping at Canadian hotels or boarding houses.) (D.O.C., June 30, and Aug. 1, 1894.)

Non-resident must obtain a fishing permit from Commissioner. (O.O.C.)

Commissioner may issue fishery leases and fishing licenses, subject to Orders in Council, to fish in any waters belonging to the Province. (R.S.O., c. 32, s. 3, s-s. 5.) Such leases shall be **for not more than 5 years** and shall be made to the highest bidder, who shall pay an annual rental therefor in advance. (ib. s-s. 5, 6.)

Leases may not be transferred without consent of Commissioner. (ib. s. 7.)

Fishing lease extends 66 feet inland from water. (O.O.C.)

Non-residents of Ontario or Quebec may not hunt any bird or animal without a license signed by the Chief Fish and Game Warden, and countersigned by the Provincial Secretary or his deputy, and such license must have endorsed on it the signature of the person to whom it is granted. **The license fee is \$25** and such license is for one season only. (G.P.A., s. 14, s-s. 1.)

The license may be required to be produced by any person at any time. (ib. s-s. 2.)

A non-resident may take 50 ducks out of the Province if killed by him, provided he has the above license and also obtain a permit from a warden. (ib. s-s. 3.)

Permit to hunt may be granted free to a guest of a resident for a term not exceeding one week, by the Provincial Secretary. (ib. s. 14, s-s. 4.)

LORD'S DAY — *See* **SUNDAY**.

LUNGE — *See* **MASKINONGE**.

MAGISTRATE may convict on view for an offence under Game Protection Act. (G.P.A., s. 17.)

MASKINONGE — **Close season April 15th to June 15th**, both days inclusive. (C.O.C., p. 655.)

Hook and line only may be used to catch. (55 Vict. c. 10, s. 9, O.)

Spears, grapnel hooks, negog and nishagans prohibited. (R.S.C., c. 95, s. 14, s-s 8.)

MILL-DAMS — *See* **EELS**.

MOOSE — *See* **DEER**.

MUSCALLONGE — *See* **MASKINONGE**.

MUSKRAT — **Close season between May 1st and Jan. 1st.**, and no muskrat may be shot during **April**. (G.P.A. s. 8, s-s. 1 ; 57 Vict. c. 57, s. 2, O.)

Muskrat houses may not be destroyed or injured, at any time ; *but see next page*.

Muskrats destroying property may be killed at any time by owner of property, and also when there is a probability of their injuring dams or drainage embankments. (G P.A., s. 8, s-s. 1.)

See **TRAPS**.

NETS— **Fishing with nets** or other apparatus prohibited without license from Minister. (C.O.C. p. 656.)

Snares for catching fish prohibited. (ib. p. 655)

Pound nets prohibited except under license. (D.O.C. 1892, p xxx.)

Purse nets prohibited. (51 Vict. c. 43, s. 1, D.)

Swing nets for salmon prohibited. (R.S.C. c. 95, s. 8, s-s. 5)

Gill nets must have 5-inch meshes for salmon trout or whitefish, and must not be within two miles of any seining ground. (ib. s. 10, s-s. 3.)

Boats must not destroy or injure. (ib. s. 14, s-s. 2.)

Must not obstruct navigation. (ib.)

Main channel of **stream must not be obstructed** by. (ib. s-s. 4.)

Bag-nets, trap-nets and fish pounds prohibited. (ib. s-s. 7.)

Seines for barfish must have 3-inch meshes. (ib. s-s. 10.)

Seines for whitefish must have 4-inch meshes. (ib. s. 10, s-s. 4.)

Seines, nets, etc., must be raised to admit free passage of fish, from 6 P.M. **Saturday, to Monday** at 6 A.M. (57 Vict. c. 51, s. 4, D.)

Traps, nets, snares, gins, baited lines, etc., may not be set for game birds or animals, at any time, and

may be destroyed by any person without incurring any liability therefor. (G.P.A., s. 7.)

Passage of fish must not be obstructed unduly by nets, weirs, etc. (O.O.C. ; 57 Vict. c. 51, s. 5, D.)

See **ILLEGAL CONTRIVANCES—TRAPS.**

NIGHT LINES — **Prohibited without a license.** (55 Vict. c. 10, s. 10, O.)

May be used by Indians and settlers in certain cases. (ib. s. 14.)

NIGHT TIME — *See* **TIME.**

NON-RESIDENT means a person not resident in Ontario.

See **LICENSE—TOURIST.**

OTTER — **May not be killed before Nov. 1st, 1897.** (G.P.A. s.8, s-s. 2.)

Close season between April 1st and Nov. 1st (ib. s-s. 1.) *But see above.*

See **TRAPS.**

PARTRIDGE — **Close season between Dec. 15th and Sept. 15th.** (G.P.A. s. 3, s-s. 1. (a.)) *But see below.*

May not be sold till Sept. 15th, 1897, no matter where killed or procured. (57 Vict. c. 57, s. 1, O.)

See **EXPORTATION — TIME — TRAPS.**

PENALTIES AND FINES — **One-half of every fine** will be **paid to prosecutor** or person on whose evidence the conviction is made. (G.P.A., s. 22 ; 55 Vict. c. 10, s. 28, O. ; and for penalties generally, see R.S.C. c. 95, s. 21 ;

R.S.O. c. 32, ss. 9, 24, 26, 27, 30; 55 Vict. c. 10, ss. 10, 12, 13, 21, O.; 57 Vict. c. 51, ss. 1, 6, 7, 10, D.)

PERCH — **Hook and line only may be used to catch,** unless net license obtained. (O.O.C.)

PERMIT — **Commissioner may grant, to fish in water** adjoining Crown Lands, **for one month.** (R.S.O. c. 32, s. 18)

Provincial Secretary may grant, to a guest of a resi- dent, free of charge, **for one week.** (G.P.A., s. 14, s-s. 4; 57 Vict. c. 57, s. 4.)

See LICENSE.

PHEASANTS — **Close season between Dec. 15th** and **Sept. 15th.** (G.P.A., s. 3, s-s. 1.(a).)

English and Mongolian pheasants may not be killed before **Sept. 15th, 1897.** (ib. s-s. 2.)

See TIME-TRAPS.

PICKEREL (Dore) — **Close season April 15th to May** 15th, both days inclusive. (C.O.C. p. 655.)

Spears, grapnel hooks, negog and nishagans pro- hibited. (R.S.C. c. 95, s. 14, s-s. 8)

Hook and line only may be used to catch. (55 Vict. c. 10, s. 9, O.)

PIKE — **Hook and line only may be used to catch,** unless net license obtained. (O.O.C.)

PLOVER — **Close season between Dec. 15th and** **Sept. 15th.** (G.P.A., s. 3, s-s. 1. (a).)

See TIME-TRAPS.

POISON — Killing any game animal by poison prohibited. Poison, poisoned bait, etc., must not be exposed in any locality to which dogs or cattle might have access. (G.P.A., s. 5.)

Poisonous matter, lime, chemicals, decaying fish and sawdust must not be thrown into any water frequented by fish. (57 Vict. c. 51, s. 6, D.)

Poisons or lime may not be used to kill fish. (55 Vict. c. 10, s. 12, O.)

Putting lime or any noxious material in a fish pond is a misdemeanor. (R.S.C. c. 168, s. 34.)

POLICE — See, DEPUTY WARDENS.

POLLUTION OF FISHING GROUNDS — Sawdust, coal ashes, ballast, stones, lime, chemicals, poisonous matter, dead fish, etc., may not be thrown into any water frequented by fish, and no offal, decayed leaves or fish may be left upon any beach. (R.S.C. c. 95, s. 15, s-s. 1 ; 57 Vict. c. 51, s. 6, D.)

POSSESSION — No person may transport or have in possession any deer, skin or venison, except from Oct. 20th, to Nov. 22nd, unless accompanied by an affidavit that same taken during open season. (G.P.A., s. 2, s-s. 5.)

No person shall have in possession during close season any game bird or animal, but such may be exposed for sale for 5 days only after open season has expired, and may be had in possession for the private use of the owner and his family at any time. (ib. s. 4, s-s. 4.)

No person shall have in possession any fish in close season, except for the first 5 days thereof only. (55 Vict. c. 10, s. 13, O.)

Snipe, woodcock or partridge may not be kept for sale or sold till Sept. 15th, 1897, or quail or wild turkey till Oct. 15th, 1897. (57 Vict. c. 57, s. 1, O.)

Persons masked or disguised may not have fire arms in their possession when near any shooting ground. (G.P.A., s. 25.)

PRAIRIE FOWL—May not be killed before **Sept. 15th, 1897.** (G.P.A., s. 3, s-s. 2)

Close season between Dec. 15th and Sept. 15th. (ib. s-s. 1. (a).)

See EXPORTATION—TIME—TRAPS.

QUAIL—May not be sold till **Oct. 15th, 1897,** no matter where killed or procured. (57 Vict. c. 57, s. 1, O.)

Close season between Dec. 15th and ~~Sept.~~^{Oct.} 15th (G.P.A., s. 3, s-s. 1. (b).) *But see above.*

See EXPORTATION—TIME—TRAPS.

RABBITS—May be destroyed at any time. (G.P.A., s. 3, s-s. 4.)

See HARES.

RAIL—Close season between **Dec. 15th and Sept. 15th.** (G.P.A., s. 3, s-s. 1. (a).)

RAINY RIVER DISTRICT—Gill nets may be used by **settlers** in certain lakes under certain conditions. (D.O.C. March 21, 1894)

REINDEER — *See* **DEER**.

RESIDENT — Where used in this Digest means a person residing in Ontario, unless otherwise stated.
See **LICENSE**.

RIVER TROUT — *See* **BROOK AND RIVER TROUT**.

SABLE — May not be hunted by any one except a resident either of Ontario or Quebec. (G.P.A., s. 1, s-s. 1.)

SALE OF GAME — *See* **POSSESSION**.

SALMON — Close season Aug. 1st to April 30th, but may be caught by fly fishing with rod and line to Aug. 31st in addition. (R.S.C. c. 95, s. 8, s-s. 1.)

Foul or unclean salmon, fry, parr and smolt may not be caught at any time. (ib. s-ss. 2, 3.)

Must be three pounds in weight at the least. (ib. s-s 3.)

Meshes of nets must be 5 inches wide. (ib. s-s. 4.)

Swing nets prohibited. (ib. s-s. 5.)

Spears, grapnel hooks, negog and nishagans prohibited. (ib. s. 14, s-s. 8.)

SALMON TROUT — Close season Nov. 1st to 30th, both days inclusive. (D.O.C. 1892, p. xxxvi.)

Gill nets must have 5-inch meshes. (R.S.C. c. 95, s. 10, s-s. 3.)

Spears, grapnel hooks, negog and nishagans prohibited. (ib. s. 14, s-s 8.)

Hook and line only may be used to catch, unless net license obtained. (R.S.C., c. 95, s. 9, s-s. 2 ; O.O.C.)

May not be taken by nets, etc., without a license.
(55 Vict. c. 10, s. 10, O.)

SAWDUST — *See* **POISON — POLLUTION OF FISHING GROUNDS.**

SEINES — *See* **NETS.**

SETTLERS — **Game laws do not apply to,** in unorganized townships, or territory not divided into townships, if **game killed for food,** and not to sell. (G.P.A., s. 27; 57 Vict. c. 57, s. 6, O.)

May use night lines and set lines in certain cases
(55 Vict. c. 10, s. 14, O.)

SHAD — **Spears, grapnel hooks, negog and nishagans prohibited.** (R.S.C. c. 95, s. 14, s-s. 8.)

SHERIFF — *See* **DEPUTY WARDENS.**

SNARES — *See* **NETS — TRAPS.**

SNIPE — **Close season between Dec. 15th and Sept. 15th.** (G.P.A., s. 3, s-s.1. (a.))

May not be sold till Sept. 15th, 1897, no matter where killed or procured. (57 Vict. c. 57, s. 1, O.)

See **EXPORTATION.**

SPAWNING — **Catching fish during spawning time, or disturbing spawning beds prohibited.** (O.O.C.)

SPEARING — **Salmon, trout, lunge, maskinonge, winaniche, bass, barfish, pickerel, whitefish, herring or shad,** may not be taken by means of spears, grapnel hooks, negog or nishagans. (R.S.C. c. 95, s. 14, s-s. 8.)

SPECKLED TROUT—Close season **Sept. 15th to May 1st.**, both days inclusive. (D.O.C. 1892, p. xxxvi.)

Fishing through the ice prohibited. (ib. p. xxxvii.)

Hook and line only may be used to catch. (R.S.C. c. 95, s. 9, s-s. 2 ; 55 Vict. c. 10, s. 9, O.)

50 only may be caught in one day by one person. (ib. s. 7.)

15 lbs. weight only may be taken in one day by one person. (ib.)

5 inches in length or less must be returned to the water. (ib. s. 8.)

Spears, grapnel hooks, negog and nishagans prohibited. (ib. s. 14, s-s. 8)

SQUIRRELS—(**Black and Grey**)—Close season between **Dec. 15th and Sept. 15th.** (G.P.A., s. 3, s-s. 1.(a).)

See TRAPS.

STURGEON—Taking with nets prohibited without a license. (55 Vict. c. 10, s. 10, O.)

SUNDAY—Hunting prohibited. (R.S.O. c. 203, s. 4 ; G.P.A., s. 24.)

Fishing prohibited. (R.S.O. c. 203, s. 5.)

Nets, seines, weirs, etc., must be raised between Saturday 6 P.M. and Monday 6 A.M. (57 Vict. c. 51, s. 4, D.)

SUNRISE AND SUNSET—*See* TIME.

SWANS—Close season between **May 1st and Sept. 15th.** (G.P.A., s. 3, s-s. 1. (c).)

Killing by batteries, swivel guns and sunken punts prohibited. (ib. s. 4, s-s. 1.)

See **TIME—TRAPS.**

TIMBER AGENTS—*See* **DEPUTY WARDENS.**

TIME—Between half an hour after sunset and half an hour before sunrise no game bird may be killed.

(G.P.A., s. 4, s-s. 2.)

Hunting on Sunday prohibited. (ib. s. 24 ; R.S.O. c. 203, s. 4.)

Fishing on Sunday prohibited. (R.S.O. c. 203, s. 5.)

Nets, seines, weirs, etc., must be raised from 6 P.M. Saturday to 6 A.M. Monday. (57 Vict. c. 51, s. 4, D.)

Information must be laid within 3 months of the commission of the offence, (G.P.A., s. 20, s-s. 1 ; 55 Vict. c. 10, s. 27, O.)

TORCHLIGHT—**Fishing by, prohibited.** (O.O.C.)

TOURIST is one who temporarily visits a locality 5 miles distant from his residence. (55 Vict. c. 10, s. 4, O.)

May not take more than 12 bass in one day, and any bass less than 10 inches long must be returned to the water. (55 Vict. c. 10, ss. 5, 6, O.)

TRANSPORTATION—*See* **POSSESSION.**

TRAPS—**Nets, snares, gins, baited lines, etc., may not be used at any time** to take any kind of deer, grouse, pheasants, prairie fowl, partridge, woodcock, snipe, rail, plover, black and grey squirrels, hares, quail, wild turkeys, swans, geese or ducks ; and such traps, etc., may be

destroyed at any time by any person without incurring any liability therefor. (G.P.A., s. 7.)

Traps, snares, gins, etc., must not be set in close season for beavers, otters, or muskrats. (ib. s. 8, s-s. 1.)

Traps, etc., for fish may not be set without a license. (55 Vict. c. 10, s. 10, O.)

See **ILLEGAL CONTRIVANCES.**

TRESPASS — No person may **enter growing grain**, or permit his dogs to, without owners permission, or hunt or **shoot upon another's land after being notified** by owner not to. (G.P.A. s. 9.)

Owner or occupant may give notice to trespassers verbally or in writing, or by maintaining in at least two conspicuous places near the borders of premises to be protected, two sign boards, each at least 1 ft. square, containing the notice, "Hunting or shooting on these lands forbidden under Ontario Game Laws." (ib.)

No person may fish in leased premises. (R.S.O. c. 32, s. 26.)

TROUT — **Small trout for baiting traps** may be used by fishermen. (R.S.C. c. 95, s. 9, s-s. 4.)

See **BROOK AND RIVER TROUT—LAKE TROUT—SALMON TROUT—SPECKLED TROUT.**

TULIBEE — **Hook and line only may be used to catch**, unless net license obtained. (O.O.C.)

TURKEYS (Wild) — **May not be killed before Oct. 15th, 1897.** (G.P.A., s. 3, s-s. 2.)

May not be sold before Oct. 15th, 1897, no matter where killed or procured. (57 Vict. c. 57, s. 1, O.)

Close season between Dec. 15th and Oct. 15th.

(G.P.A., s. 3.) *But see above.*

See EXPORTATION — TIME — TRAPS.

WARDENS — Appointed by **Lieut.-Governor** in Council, and not to exceed **4 in number.** (G.P.A., s. 12.)

Are J. P.'s for the purposes of "The Ontario Game Protection Act, 1893." (ib. s. 12, s-s. 2.)

May convict on view for an offence under above Act. (ib. s. 17.)

Chief Fish and Game Warden: A. D. Stewart, (Hamilton.)

Wardens: J. H. Wilmott (Beaumaris, Muskoka); H. K. Smith (Belleville); John A. Gill (Dunnville); F. C. Quallins (Leamington).

See CHIEF FISH AND GAME WARDEN — DEPUTY WARDENS.

WATER FOWL — Close season between **Dec. 15th and Sept. 15th.** (G.P.A., s. 3, s-s. 1. (a).)

Hunting from sail boats or steam yachts prohibited. (ib. s. 4, s-s. 1.)

See TIME — WILD FOWL.

WEIRS — *See* EELS — SUNDAY.

WHITEFISH — Close season **Nov. 1st to 30th**, both days inclusive. (D.O.C. 1892, p. xxxvi.)

Fry may not be destroyed. (R.S.C. c. 95, s. 10, s-s. 2.)

Gill nets must have 5-inch meshes. (ib. s-s. 3.)

Seines must have 4-inch meshes. (ib. s-s. 4.)

Spears, grapnel hooks, negog and nishagans prohibited. (ib. s. 14, s-s. 8.)

Hook and line only may be used to catch unless net license obtained. (O.O.C.)

May not be taken by nets, etc., without a license. (55 Vict. c. 10, s. 10, O.)

WILD FOWL — No game bird or wild fowl may be killed between half an hour after sunset and half an hour before sunrise. (G.P.A., s. 4, s-s 2.)

Killing by batteries, swivel guns, or sunken punts prohibited. (ib. s. 4, s-s. 1.)

See **WATER FOWL.**

WOLVES — \$10 will be paid by the County Treasurer to any one producing the head of a wolf before a J. P., and proving that the wolf was killed within the county. (R.S.O. c. 223, s. 2 ; 55 Vict. c. 59, s. 1, O.)

In Algoma, Muskoka, Nipissing, Parry Sound and Thunder Bay Districts the wolf's head may be produced to a Judge, Magistrate, Sheriff, Crown Lands or Free Grant Agent, or Division Court Clerk, (ib.)

WOODCOCK — Close season between Dec. 15th and Sept. 15th. (G.P.A., s. 3, s-s. 1. (a).)

May not be sold till Sept 15th, 1897, no matter where killed or procured. (57 Vict. c. 57, s. 1, O.)

See **EXPORTATION — TIME — TRAPS.**

WOOD RANGERS.

YARDING — *See* **DEER.**

YOUNG of any fish may not be caught, sold or had in possession. (R.S.C. c. 95, s. 14, s-s. 9.)

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