

The 4th clause was amended by substituting "January 1" for "February 1," as follows:—

"4. No quail shall be taken or killed between the 1st day of January and the 1st day of February in any year."

The 5th clause was carried, without amendment:—

"5. No woodcock or snipe shall be taken or killed between the 1st day of March and the 1st day of September in any year."

The 6th clause was amended by erasing the words "black duck" to "teal," and substituting "commonly known as wild duck."

"6. No wild swan, goose, or any ducks commonly known as wild duck, shall be hunted, taken or killed between the 1st day of March and the 1st day of September in any year."

Sir HENRY SMITH explained that by this means there would be no spring shooting of ducks.

The clause was carried.

For the 7th clause the following was proposed to be substituted:—

"7. It shall not be lawful for any person or persons to use batteries or sunken punts, in hunting, taking or shooting at any kind of duck whatsoever."

Sir HENRY SMITH stated that the destruction of game in this way had been of the most wholesale character, and it was time it should be put a stop to, in order to prevent the extinction of game.

Mr. LAUDER said he would object to preventing any man owning the fee simple of the land, killing any birds he might find on his farm. It was proposed to be enacted that no person should be allowed to kill by trap any of the animals specified. Now he desired to object to that kind of legislation. At the proper season—if they found these birds or animals on the farm or in the bush—farmers, he contended, had a right to kill them. To his mind, the amendments proposed savoured too much of the system of restriction which prevailed in the old world, and which was entirely unsuited to this Province. In purely rural constituencies he was satisfied the measure would be disliked, and would not work well.

Mr. BEATTY fully concurred in the remarks of the hon. member for South Grey. They were much indebted to the hon. and gallant knight for introducing a bill of this kind—for in the main it was a good one. But he did not think it was at all wise in them to endeavour to restrict the manner in which these birds were to be taken during the proper season. The restrictions might be sportsmanlike enough but were not suited to agriculturists.

Mr. HAYS did not understand how the proposed legislation operated against farmers. He highly approved of the provisions forbidding the trapping of deer, as it was a most cruel way of killing these animals.

Sir HENRY SMITH remarked that there was another point worth considering. These traps were exceedingly dangerous—a man or a child might step into one of them. Perhaps the hon. member for South Grey himself might be caught some day, (laughter).

The clause was carried, with the three following:—

"8. No wild turkey, grouse, partridge, quail, woodcock, snipe, nor any description of wild duck or hare, shall be trapped or taken by means of traps, nets, snares, springs, or other means of taking such birds or hares, other than by shooting, at any time whatever: nor shall any trap, net, or snare, be made, erected, or set, either wholly or in part, for the purpose of such trapping or taking.

"9. No deer, or fawn, moose, or cariboo, shall be trapped, or taken by means of traps or snares, at any time whatever; nor shall any traps be set or erected for the purpose of such trapping or taking.

"10. No person or persons shall have in their possession any of the animals or their hides, or any of the birds hereinbefore mentioned, within the periods above respectively prohibited, without lawful excuse, the proof whereof to be on the party charged: nor shall any sale of any of the game mentioned in this act take place later than within fourteen days from the termination of the several periods hereinbefore respectively fixed for the killing thereof: nor shall any possession for the purpose of sale be deemed lawful, save within such periods of fourteen days."

Mr. LAUDER again rose to say that he believed the sense of the country would be strongly against this measure. The restrictions it imposed were unwholesome and

improper, and such as were favourable only to a small section of the people of the Province. He alluded particularly to the last clause.

Sir HENRY SMITH said his hon. friend must excuse him for the reminder that the clause complained of was merely a re-enactment of the existing law.

Mr. LAUDER said that he objected to it, whether it was the present law or not.

In the 11th clause the words "wantonly destroyed" occurred, but it was proposed to strike out the word "wantonly," in order that all parties participating in the work of taking away birds eggs should be brought under the operation of the law. Immense numbers of eggs were, for instance, taken from the marshes in spring for foreign markets; and the eggs of birds, when sitting—particularly the woodcock and snipe—had also been taken and destroyed in a similar way; and the object of the alteration was to reach the parties doing this more certainly.

The clause was carried as follows:—

"No eggs of any kind of the above birds enumerated and hereby declared to be game, shall be taken or destroyed at any time."

The 12th clause Sir HENRY SMITH explained had been made a ringent in order to prevent the great slaughter of deer in the country. Even since the introduction of the Bill he had heard of a number of Americans attempting to carry over one of the railways a number of deer killed in January. These parties had been detained and sent before a magistrate, and by his orders the deer were all seized and distributed for some charitable object.

Mr. HAYS thought it was not wise to put the maximum of the fine, as proposed, at \$50. It would be giving too much power into the hands of magistrates, who might use it to help themselves in a private pique.

Mr. SINCLAIR had more objection to the minimum than to the maximum fine. The minimum fine, he considered, ought not to be fixed. The matter ought to be left discretionary with the magistrate. But even the maximum was high, and might be fixed at \$25.

Others of the members concurred in the latter suggestion, and also desired that the period of imprisonment should be reduced from two or three months to 30 days. These suggestions were all concurred in, and the clause amended as follows:—

"12. Any offence against any provision of this Act shall be punished summarily, on information and conviction before a Justice of the Peace, by a fine not exceeding \$25 nor less than \$2 for each head of game, in the discretion of such Justice, with costs, or in default of payment by imprisonment in a common gaol for a term not exceeding 30 days, upon non payment of fine; one half of the fine to go to the municipality and the other half to the informer.

The 13th clause was amended by the substitution of the word "purpose" for "institutions," in order to meet a case, in rural districts, where there were no charitable institutions. As carried it was as follows:—

"13. In all cases, confiscation of the game shall follow conviction; and the game so confiscated shall be given to some charitable institution or purpose, at the discretion of the convicting justice."

Sir HENRY SMITH in moving the 14th clause said there was one thing he wanted to add to it and that was, that poison should not be used. But it did not occur to him how that could be done.

Hon. Mr. WOOD said that there was a statute already meeting that case.

Sir HENRY SMITH said that there was, of course, and that would do.

The clause then stood:—

"14. Any person may destroy traps, nets, or snares, set or erected, either wholly or in part in contravention of any provision of this Act."

The 15th clause was amended by changing the date, 1st day of Nov. to 15th day of Nov., and stood:—

"15. And whereas it is desirable to prevent the destruction of certain animals at seasons of the year when their furs are of little or no value. It is further enacted that no beaver, muskrat, mink, sable, otter, or fisher, shall be trapped, hunted, taken or killed, nor shall any trap or snare be laid for the same or any of them, between the 1st day of May and the 15th day of November in any year, and all persons violating this Section of this Act shall be liable to the same proceedings and penalties, to be enforced and recovered in the same way as are above declared with respect to game."