



CANADA

MINISTER OF CITIZENSHIP AND IMMIGRATION

No 6 A

Sept 20, 1963

I HEREBY approve the amendment of section 4(a) of  
By-law No. 6(a), made by the Council of the Mohawks of the  
Bay of Quinte Band in the Province of Ontario, at a meeting  
held September 2, 1964, as follows;

"4.(a) Hunting will be permitted only on  
Wednesday, Saturday and Sunday of each week  
between dawn and the hour of 5 p.m. Eastern  
Daylight Time, and a new permit will be  
required for each season."

*Rene Lemay*

Dated at Ottawa this 23<sup>rd</sup> day of September, 1964.

MIGRATORY WATER-FOWL

TYENDINAGA INDIAN RESERVE

PROVINCE OF ONTARIO

The Council of the Mohawks of the Bay of Quinte Band of Indians at a meeting held this Sixteenth day of September 1963 make the following by-law pursuant to paragraphs (c), (d), and (r) of Section 80 of the Indian Act.

By-Law 6.a

A by-law to provide for the preservation, protection and management of fur bearing animals, fish and other game on the Tyendinaga Indian Reserve in the Province of Ontario.

1. In this by-law

- (a) "Band" means Mohawks of the Bay of Quinte Band of Indians;
- (b) "Council" means Council of the Band;
- (c) "permit" means a permit issued pursuant to this by-law;
- (d) "Reserve" means Tyendinaga Indian Reserve;
- (e) "project" means the marsh land extending on both sides of Mud Creek from the dam on the said creek where it flows into the Bay of Quinte and extending to the intersection of the said Mud Creek with the East boundary of lot 11 in Concession 2 of the Reserve, the whole being designated as the Tyendinaga Water-Fowl Management Unit.
- (f) "hunting" includes chasing, pursuing, worrying, stalking, laying in wait for, trapping or attempting to trap, or shooting at whether or not the migratory water-fowl is then or subsequently captured, killed or injured;
- (g) "migratory water-fowl" means any ducks, geese, rails, coots or gallinules;
- (h) "open season" means the season during which it is lawful to hunt migratory water-fowl, that is, the period commencing on 21st day of September and ending on the 14th day of December, both dates inclusive; and

- 2. No person shall hunt migratory water-fowl on the project unless he is in possession of a valid and subsisting permit authorizing him to do so, issued to him by Council or a person appointed by Council for the purpose.
- 3. No person shall be issued a permit unless he is a member of the Band and has attained the age of fifteen years on the opening day of the season herein prescribed.
- 4. A permit issued under authority of paragraph 2 of this by-law may authorize the bearer thereof to hunt migratory water-fowl in the project, subject to the following conditions:
  - (a) Hunting will be permitted only on Wednesdays, Saturdays and Sundays of each week between dawn and the hour of 5 p.m. eastern daylight time, and a new permit will be required for each season.
  - (b) No person shall enter the project for the purpose of hunting unless he has reported to the person in charge of the check point and has presented his permit to the person in charge of the check point for inspection.
  - (c) No person shall leave the project unless he has first reported to the person in charge of the check point and has displayed to him all the migratory water-fowl he has killed.

5. The Council may from time to time designate locations on the project from which hunting may take place and shall number and mark the locations designated, and
  - (a) No person shall hunt in the project from a location which has not been so designated, numbered and marked by the Council
  - (b) No person shall construct or attempt to construct a blind on the project other than at a location referred to in subsection (1).
  - (c) The construction of a blind shall not vest in the builder thereof any exclusive right to hunt from that location.
  - (d) No more than two persons shall occupy or use a blind at any one time.
6. The daily bag limit for ducks shall be five in the aggregate of all species exclusive of American and red breasted megalaners and no person shall have more than two days limit in possession at any one time, provided that such limit shall not include any canvas back or redhead or more than two wood ducks and provided further that on an after October 26 two additional scaup or goldeneye may be taken each day that hunting is permitted.
7. The daily bag limit for geese in the aggregate of all species shall be five and no person may have more than two days limit in possession at any one time.
8. The daily bag limit for rails, coots and gallinules in the aggregate shall be five and no person may have more than two days limit in possession at any one time.
9. No person shall have in his possession the carcass of a migratory water-fowl at any time except during the period between the twenty-first day of September and the thirty-first day of August next following.
10. No person shall transport a migratory water-fowl from the project or reserve unless at least one wing and the plumage thereof remains attached to the migratory water-fowl.
11. No person shall at any time sell, expose for sale or offer for sale or buy migratory water-fowl.
12. The holder of a permit may hunt migratory water-fowl on the project only
  - (a) with a shot gun not larger than number twelve gauge, using shells with more than one ball, provided also that any shot gun of any description originally capable of holding more than three shells in the magazine shall be altered or plugged with a one-piece metal or wooden filler incapable of removal without disassembling the gun so as to reduce the capacity of said gun to not more than three shells at one time in the magazine and chamber combined.
13. No person shall, in hunting on the project, use night lights, live birds or decoys, electrically operated calling devices or hunt within one quarter mile of any places where bait has been found or placed during the open season or seven days preceding the open season.
14. No motor boat or power boat of any description shall be permitted on the project during the open season or seven days preceding the open season and no other boat or vehicle shall be used in such a way as to disturb or drive the water-fowl.

15. No person shall
- (a) use at any one time more than one flock of decoys
  - (b) use a flock of more than fifty decoys unless two persons are hunting together in which case a flock may consist of, but not exceed, one hundred decoys.
16. No person shall destroy, deface, tear down or damage a poster, notice, sign or copy of this by-law that has been erected for the purpose of informing members of the Band or the public of any of the provisions of this by-law.
17. In any prosecution for a violation of this by-law:
- (a) The possession of any night lights or fire arms within the project at any time or fire arms at a time and place other than as prescribed in his permit is admissible in evidence and is prima facie proof that the person was hunting migratory water-fowl contrary to the provisions of this by-law.
  - (b) Any gun or other weapon, ammunition, boat, canoe or vessel of any description, team wagon or other vehicle, decoy, appliance or material of any kind being used or having been used in violation or for the purpose of any violation of this by-law shall be seized and delivered to a justice of the peace who if he finds that the article was used in violation of this by-law may forfeit the article to Her Majesty in trust for the Band.
18. (a) Where a person is charged with an offence under this by-law the Council may suspend his permit;
- (b) Where a person is convicted of an offence under this by-law the Council may cancel his permit;
- (c) The Council may reinstate a suspended permit.
19. For purposes of this by-law
- (a) a member of Council
  - (b) any Indian constable, and
  - (c) any person designated by Council shall be ex officio officers for the enforcement of this by-law.
20. Any person who violates any of the provisions of this by-law shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding thirty days or both fine and imprisonment.

Sgd. <u>JOHN R. BRANT,</u> Councillor	Sgd. <u>NELVILLE HILL</u> Chief.	Sgd. <u>VICTOR R. BRANT,</u> Councillor
Sgd. <u>ALBERT A. MARACLE</u> Councillor		Sgd. <u>GEORGE H. MARACLE</u> Councillor.

AMENDMENTS:

No.1, amending Section 4(a) by Resolution dated Sept.2.1964.



DEPARTMENT OF CITIZENSHIP AND IMMIGRATION  
 INDIAN AFFAIRS BRANCH  
 BAND COUNCIL RESOLUTION

CHRONOLOGICAL NO.

1966-67-22

NOTE: The words "From our Band Funds" must appear in all resolutions requesting expenditures from Band Funds.

The Council of the Mohawks of the Bay of Quinte Band of Indians,  
 (Name of Band)  
 in the Tyendinaga Indian Agency,  
 (Name of Agency)  
 in the Province of Ontario at a meeting, held at Agency Office, Deseronto, Ont.  
 (Name of Province in full) (Name of Place)  
 this Second day of February A.D. 19 67.  
 (In Full) (Month)

DO HEREBY RESOLVE:

Moved by Earl Hill, seconded by Franklin Green,

That this Council request the Minister of the Department of Indian Affairs and Northern Development to approach the Provincial Department of Lands and Forests for rights for members of our Band to fish by spearing on foot in accordance with Band By-Law No.6 in the Bay of Quinte waters bordering the Reserve, until such time as Reserve boundaries are defined by Claims Commission; furthermore this Council hereby authorizes Department of Lands & Forests Officers to enter the Reserve during pickerel fishing season for the purpose of assisting the Indians in the enforcement of the By-Law.

carried.

J. M. R. B. B. B. (Chief)  
Franklin Green (Councillor)      Earl Hill (Councillor)      \_\_\_\_\_ (Councillor)  
Earl Hill (Councillor)      \_\_\_\_\_ (Councillor)      \_\_\_\_\_ (Councillor)  
Franklin Green (Councillor)      \_\_\_\_\_ (Councillor)      \_\_\_\_\_ (Councillor)  
Earl Hill (Councillor)      \_\_\_\_\_ (Councillor)      \_\_\_\_\_ (Councillor)

FOR HEADQUARTERS USE ONLY					
1. TRUST	2. CURRENT BALANCES		3. Expenditure	4. Authority	5. Source of Funds
ACCT	A. Capital	B. Revenue		Indian Act Sec.	<input type="checkbox"/> Capital <input type="checkbox"/>
	\$	\$	\$		
6. Recommended			7. Approved		