

drying up ponds and marshes before the young ducks are ready to fly, may wipe out thousands of fledglings over wide areas. Epidemic diseases, predation, prairie and forest fires, and farming operations also present hazards to both parents and young.

To obtain an adequate comprehension of the waterfowl situation as it develops between the midwinter census and the following hunting season, wildlife experts maintain a constant watch on the chief breeding areas in spring and summer. A series of extensive surveys is made by officers of the Canadian Wildlife Service, the United States Fish and Wildlife Service, provincial game departments, and other organizations. Sample counts of waterfowl on definite areas are taken, which are compared with similar counts for the same areas in preceding years. Conditions affecting nesting success, such as snow, rain, drought, spring run-off, water levels, temperature fluctuations, predation and disease, are carefully noted. Consequently, as the summer advances, wildlife authorities are able to form a well-founded estimate of continental waterfowl conditions, and to tell with reasonable accuracy how the autumn crop of waterfowl in different areas will compare with that of recent years. Thus the surveys provide a sound scientific basis for the waterfowl hunting regulations for the year.

It may be of advantage here to distinguish clearly between the Migratory Birds Treaty, the Migratory Birds Convention Act, and the Migratory Bird Regulations.

The Migratory Birds Treaty is an international treaty between Canada and the United States which defines the groups of birds affected by it, stipulates certain limitations on open seasons and on the taking and shipment of migratory birds, and provides for the issuing of special permits for scientific and propagating purposes and for the control of birds damaging crops and other interests. The terms of the Treaty are binding on both Canada and the United States and may be altered only by a new treaty.

The Migratory Birds Convention Act is a law passed by the Parliament of Canada, setting forth the measures by which Canada fulfils her obligations under the Migratory Birds Treaty. It may be amended by the Parliament of Canada, but any amendment must be in conformity with the terms of the Treaty. The Act provides for the making, by Order in Council, of regulations for the protection of migratory birds; it also makes provision for enforcement of the Act itself and of such regulations, with penalties for violations.

The Migratory Bird Regulations, authorized by the Act, govern the details of migratory bird protection, including open seasons for migratory game birds, restrictions on hunting methods and appliances, and regulations for the issue and use of permits.

In general, wildlife legislation in Canada is a purely provincial matter. The special federal interest in migratory bird legislation is derived from Sect. 132 of the British North America Act, which provides that the Government of Canada