

3030.

APPROVAL, BONDS OF VILLAGE OF FAIRVIEW, CUYAHOGA COUNTY,  
\$90,300.00.

COLUMBUS, OHIO, December 22, 1925.

*Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.*

3031.

APPROVAL, BONDS OF LAKE COUNTY, \$7,464.17.

COLUMBUS, OHIO, December 22, 1925.

*Retirement Board, State Teachers' Retirement System, Columbus, Ohio.*

3032.

QUAIL BEING A NON-GAME BIRD CANNOT LEGALLY BE POSSESSED  
OR TRANSPORTED, EITHER DEAD OR ALIVE, IN THIS STATE.

**SYLLABUS:**

*Under the terms of Section 1408, General Code, no person may catch, kill, injure, pursue or have in possession, either dead or alive, at any time, or purchase, expose for sale, transport, or ship to a point within or a point without the state, any wild bird other than a game bird. Quail or Bob White being defined as a non-game bird in Section 1390 of the General Code, falls within the restrictive provisions of Section 1408 of the General Code. Residents of Ohio returning from a hunting trip in another state with game permitted licensed non-residents in that state to be taken from said state, on entering the confines of this state with quail, are liable to prosecution for the transportation thereof, although such quail were lawfully taken by residents of Ohio under a non-resident license outside of this state.*

COLUMBUS, OHIO, December 22, 1925.

HON. D. C. THOMPSON, *Chief, Department of Agriculture, Division of Fish and Game, Columbus, Ohio.*

DEAR SIR:—Your request for an opinion is stated as follows:

“Some few days ago I took up with your Mr. W. the matter as to whether parties purchasing non-resident licenses in other states to hunt quail, would be allowed to bring the quail back to Ohio without violating the Fish and Game Laws of Ohio.”

Section 1391 of the General Code provides:

“Ownership, Restrictions, Prohibitions. The ownership of, and the title to all fish, wild birds and quadrupeds in the state of Ohio, not confined and