

THE STATEMENT
OF THE
PERMANENT WILD LIFE
PROTECTION FUND





SAFE IN A SANCTUARY

Wild Mountain Sheep in the Canadian National Park at Banff, Alberta.

Photo by Daniel McCowan

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THE STATEMENT

OF THE

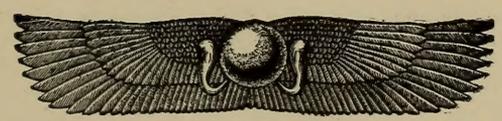
PERMANENT WILD LIFE PROTECTION FUND

1917—1918—1919

VOLUME III

By

WILLIAM T. HORNADAY, Sc. D., A. M.
Campaigning Trustee



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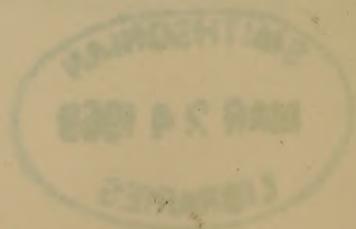
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Tablets in Memoriam

IN these days of rush and turmoil, even the illustrious dead are too quickly forgotten. It is Man's way to court the living, for aid and comfort, and all too quickly forget to recall those who have done good deeds and passed away.

The gallant men and women who devote labor and fortunes to causes for the benefit of mankind at least deserve grateful and long remembrance.

It would be wrong for the most devoted defenders of wild life to fall out of the ranks unnoticed by those of us who remain. There should be a Hall of Tablets, in which their names and their records might at least briefly be inscribed. It would inure to the benefit, not of the departed, but of those who live after them. Possibly the lapse of time will develop this obligation in concrete and inspiring form.

Meanwhile, as a duty that we owe, we shall in this volume dedicate a few pages of appreciation in memory of men and women of the Army of Defense who have wrought and passed on, and about whom a memorial volume might well be written.

Theodore Roosevelt

1858-1919

THIS man of marvelous and well-nigh matchless loyalty to humanity, all-embracing breadth of vision, splendid devotion to ideals and boundless courage, also was a leader in the protection and perpetuation of wild life and forests. His great opportunities came when he was President of the United States. During his term of office, literally from its first hour to its last one, he wrought diligently for the twin causes of forests and wild life.

The measures for the protection of wild life and forests that were either inaugurated or finished by Col. Roosevelt during his term of office as President were alone sufficient to make a reign illustrious.

The beneficial laws, the game preserves, the bird sanctuaries and the nationalized forests that were created under and through him are far too numerous to specify here.

Always brave, and seldom cautious in conquests for causes, Theodore Roosevelt never ceased to strive with voice and pen for the protection of the wild creatures that could not fend for themselves. We remember his strong and quick helping hand, and his generous "Well done!" with everlasting gratitude, and the loss of his inspiring spirit is greater than we can describe.

Mrs. Russell Sage, Founder

1828-1918

IT is impossible for a defender of wild life to write the name of Margaret Olivia Sage without a thrill of emotion. There are few persons whose names are entitled to stand beside hers, at the head of the phalanx of protectors. In the defense of wild life she knew that "money" means power; and in times of greatest stress her helping hand was most often and most powerfully in evidence.

Mrs. Sage was a woman of remarkable judgment, perfect mental poise and unflagging generosity. For nearly twenty years she never halted in her support of wild life causes. Her activities embraced general education in bird lore, the promotion of better laws, law enforcement and the making of sanctuaries and preserves. The valuable Louisiana wild-fowl winter refuge and feeding-ground, known as Marsh Island, was her greatest single effort, and the purchase of the island, and its protection up to date, was accomplished solely by her.

Mrs. Sage's gifts to the poor and suffering, to science, and particularly to zoology, should be gratefully remembered by successive generations of Americans, as long as our country remains a nation.

Andrew Carnegie, Founder

1835-1919

WHEN Andrew Carnegie passed over the great divide the world lost the earthly tenement of one of its greatest souls. But his spirit lives, and the things he inspired and did will live forever to improve and uplift the millions of two great nations. Truly, his works do follow him, and throughout the next five hundred years he will be gratefully remembered by uncountable millions of people.

Forty years ago it became known to the world that Andrew Carnegie's great purpose in life was to coin clean and honest gold into human happiness, and lasting benefit to the human race. From that purpose he never swerved. It is hardly to be expected that his biographer will be able to set forth adequately the marvellously diversified character of his plans and his achievements for the benefit of humanity. With keen insight into human character, he demanded that in helping peoples and institutions they should develop power to help themselves. His kind hands swept the whole scale of humanity from the suffering invalids on his pension list to great institutions, and cities, and even nations.

Mr. Carnegie was the first subscriber to enter the list of Founders of this Fund; but he did so by saying: "I will give the *last* \$5,000!" He was annoyed, pained and at times horrified by the destruction of wild life, and it seemed to give him real satisfaction to participate in a foundation that would work perpetually for the better protection of wild creatures.

Andrew Carnegie belongs to the ages.

Frederick G. Bourne, Founder

1851-1919

THROUGHOUT his busy life, Mr. Bourne represented a line of men who for half a century have pumped life blood into the veins of New York's institutions, and received in return only the most meagre appreciation from the public.

Although not keenly interested in sport with the gun and rod, or in the study of wild life as a special diversion, Mr. Bourne was very sympathetic and helpful to those who were zoologically minded. He was an ardent and generous member of the Board of Managers of the Zoological Society, a Founder in perpetuity, and when he was invited to become a Founder of the Permanent Wild Life Protection Fund he responded promptly and graciously. The idea of becoming a perpetual helper of the wild life cause appealed to his love for humanity and practical usefulness.

In times like these the world can ill afford to lose such men as Mr. Bourne, because the events and the new impulses of the present period do not tend to encourage or promote the further development of the broad and generous spirit of philanthropy and humanitarianism that reached its zenith in New York in the year 1919.

Charles Gordon Hewitt

1885-1920

EVEN taking into account all Canada's resources in men, it remains impossible to calculate the full extent of the loss to Canada and all America of Dr. C. Gordon Hewitt. In the difficult business of conserving game, and at the same time conserving the good will of sportsmen, he was particularly gifted.

Equipped with the educated and finely-finished mind of a Scotch scientist, he quickly grasped facts and essential details, recognized their logical conclusions, and then fearlessly proposed action. Although educated, trained and at work as the Dominion Entomologist, his broad mind reached out and grasped the whole vertebrate fauna of the vast region embraced in the Canadian Dominion.

Dr. Hewitt's most monumental single service was in the active promotion of the international migratory bird treaty, in the course of which he visited all the provinces of Canada, to smooth out difficulties. For this he received the Gold Medal of the British Royal Society for the Protection of Birds. His next greatest work was in helping to frame Canada's really great new Northwest Game Act, and in the creation of great preserves for the musk-ox and caribou. One month before his most untimely death he finished the three-year task of writing a book on the "Conservation of Wild Life in Canada."

May heaven send to wild life more men like him.

Joseph Kalbfus

1852-1919

FOR twenty years Dr. Kalbfus was a prominent factor in wild life protection in the eastern United States. He entered upon his career as Secretary of the Pennsylvania State Game Commission at a time when wild life protection in that state was literally in its infancy. He worked, and many times fought, for adequate game laws, their enforcement and the punishment of offenders.

He was chiefly responsible for the enactment of the law prohibiting aliens in Pennsylvania from owning or carrying firearms, and he helped to fight for the integrity of that law until the United States Supreme Court declared it constitutional.

He worked diligently and successfully for the laws that rendered Pennsylvania one of the foremost of protective states. The most notable of these causes were the hunter's license law, the game preserve law, the prohibitory plumage law, the vermin law, the automatic shotgun law, and the buck law.

Dr. Kalbfus was a man fearless in the defense of wild life, absolutely tireless as a worker, true and devoted in his friendships, and generous in appreciation of the merits of others. His untimely death was a severe blow to the cause of wild life protection, but the results he accomplished will live for a century.

W. Austin Wadsworth

1847-1918

AN old school gentleman of the most distinguished pattern, a lover of manly sports and the sincere friend and protector of wild life, Major Wadsworth left the world far better than he found it. His chivalrous championship of wild life causes was equalled only by his high patriotism, and his devotion to the humane ideals.

For many years while President of the Boone and Crockett Club, Mr. Wadsworth worked actively for the creation of game preserves, the more perfect preservation of the antelope and elk, and the promotion of the federal migratory bird law and treaty.

It was Mr. Wadsworth and the members of his family who first colonized old-world pheasants in New York State, at Mount Morris, and planted the seed that successfully took root and ran wild over a large area of western New York.

For many years he was a member of the Board of Managers of the New York Zoological Society and took an active part in its various activities. His life was well rounded out, and the memory of it suggests a perfect Corinthian column of stainless white marble.

Charles E. Brewster

1858-1918

FEW men are endowed by Nature with the detective temperament and the fighting spirit that must unite in one man in order to produce an effective human engine for the detection and punishment of crime. For many years Mr. Brewster was a diligent and successful detector and prosecutor of crimes against the bird laws of the nation.

Mr. Brewster was one of the most energetic game protectionists of his time of activity, and he was in the work continuously for thirty years. He collected much of the evidence which was used in the great Silz case, both in New York and New Jersey, he broke up the quail shipping traffic in Kentucky and southwestern Virginia, he took a hand in checking the duck traffic from Big Lake, and took an active part in game protective work in Michigan, Pennsylvania, Kentucky and Texas. His work went far beyond the credit that he received for it from the public.

His most celebrated case was that against August Silz, the New York game dealer, and the many wild ducks netted by him in Virginia, and finally sold in New York, contrary to law. The chain of evidence was so complete and unanswerable that the defendant elected to settle the case out of court by the payment of the unprecedented fine of \$20,000.

The loss of so vigorous a field agent for the detection and conviction of game-law violators is a loss of strength that is felt all along the line.

Miles W. Burford

1873-1917

FAR to the southwest, at the northern edge of the Sonoran region, in the year 1915 a gallant young spirit enlisted in the newly-developed New Mexican army of wild life defenders. Miles W. Burford, from Indianapolis, Indiana, took up his share of the new white man's burden, and bore it bravely down to the day of his death.

He was the first president of the New Mexico Game Protective Association, which was the firm amalgamation of all the local associations of sportsmen in that state into one harmonious and powerful body.

From the day of its birth, that Association set up a line of high ideals, and from 1915 down to the present hour it has not for a moment lost sight of any one of them. It became a model and a pace-setter for other states, and justice demands the statement that it owes much of its success to its first President.

As a tribute to his memory, and a lasting memorial, by petition of the sportsmen of New Mexico the most famous wild-fowl resort in that state was officially rechristened Lake Burford.

PART I.—THE FUND

THIRD STATEMENT OF THE PERMANENT WILD LIFE PROTECTION FUND

REPORT OF ACTIVITIES IN 1917, 1918 AND 1919

THE year 1917 was a year of universal war distraction and unrest. For us it was full of activities for preparedness, and war relief, Red Cross work and anti-German propaganda.

The year 1918 was America's second year of war engagements, and the whole nation remained all that year on a war footing, and in lines marshalled for service.

Those two years were not good years in which to inaugurate and promote new measures for the protection of wild life. The time of people who work for wild life without pay was greatly curtailed, and their efforts were imperatively demanded by more urgent causes. The relief of human suffering enlisted a mighty army of men and women who in peace times gave freely of their time and strength to the wild life cause.

But, notwithstanding the war's distractions and exactions, the welfare of the wild creatures has all along been jealously guarded. This was strikingly manifested in 1917 when efforts were made by hysterical and thoughtless persons to "let down the bars" of protection, and permit the killing of "more game" as a war measure, to provide an additional food supply for the nation.

Those demands were made in various states, and they met an immediate response. The wild life conservationists of all-America rose against them in one compact mass! This

opposition took its most definite form in a hastily called "conference of the powers" wherein the heads of the half-dozen great protective organizations centering in New York met, briefly discussed the situation, and unanimously declared war on all proposals for the killing of any wild life with "the war as an excuse."

In Washington this action met with a quick and wholly sympathetic response from Mr. Frederic C. Walcott, who spoke for Mr. Herbert Hoover, the National Food Administrator. The National Food Administration declared most strongly against any relaxation of the game laws, anywhere, on account of the war. After that the special game-killing proposals nevermore were heard of, until the Sulzer bill appeared from Fairbanks, Alaska, in 1918. That demand promptly shared the fate of all the former ones, in complete extinguishment.

It was definitely established, as a fundamental principle, that the American people never will permit the destruction of their paltry remnants of wild game as war measures to increase the food supply of 107,000,000 people. It was declared that the consumption of all the wild game of the United States would not make the slightest visible impression on the daily needs of the American people, and that the possible food increase so gained would be less than one-tenth of one per cent of the whole amount required to feed the nation.

With the exception of the international treaty for the protection of migratory birds, and a very few other measures of smaller importance, the efforts of the Permanent Wild Life Protection Fund were directed chiefly toward the holding of gains already made, and the prevention of backward steps. Even the migratory bird treaty called for very little effort outside of Congress. Having fully ratified the treaty, it became the bounden duty of Congress and the President to take all the steps that were necessary to carry its provisions into effect! Naturally, this relieved the wild life cam-

paigners of much responsibility, and of what otherwise would have constituted a serious burden of work.

The activities put forth under the auspices of this Fund during the years 1917, 1918 and 1919 now will be reported upon. Through diminished activities the expenditures called for have been much more moderate than usual, and our savings during the past two years now amount to a substantial sum. These savings of the past rather quiet years will now enable us to carry into effect certain plans for the inauguration of important protective movements in Alaska and in France, where outside help is greatly needed.

As the Founders and Subscribers are aware, we recently put to a vote by them the question whether the activities of this Fund should not now be extended beyond the shores of North America, and internationalized. There now seem to be good reasons for such a step, particularly in France, in promoting the protection of food crops.

All save four of the Founders and Subscribers who voted on this matter voted for internationalization, and this we accept as our authorization for the change proposed in our plan of foundation. It goes without saying, however, that we propose to *waste* nothing abroad, and that our activities abroad always will be secondary to the needs of our own country and its possessions.

Although it has been our hope that from time to time voluntary contributions will be made to the endowment of the Permanent Fund, that hope has not been realized during the past two years, save for a bequest entered in the will of one of the Subscribers. Unquestionably the time will come when an income of \$10,000 a year will be needed for active campaign work, and we still hope that our endowment fund will not always remain at the irreducible minimum of \$100,000 that originally was named in 1913.

This report will cover the whole of the three years 1917, 1918 and 1919. Its publication in the spring of 1919 was

prevented by the duties that were laid upon us by the American Defense Society in its struggle against the rising tide of Bolshevism and red socialism in America, and the effort to arouse the American people to the dangers threatening our nation from red sources. It is a satisfaction to be able to state that in the fight against Bolshevism in America, our campaign began in April, 1918, and it continued without interruption or relaxation down to the great national movement against the reds that began in November, 1919. Then it seemed to us that the nation was awake, and our work was finished.

As an exhibit of our reasons why we have not accomplished more for wild life causes since the war began, the Campaigning Trustee offers the following list of titles which will suggest the character of his activities during the war.

- 1914. Oct. to June, 1915.—Belgian Civilian Relief Fund.
- 1915. "The United States a Fool's Paradise."
- 1916. "National Defenses or a National Licking."
- 1917. "A Searchlight on Germany."
"The American Guardian (Boycott) Journal."
- 1918. "Awake! America."
"A Democracy of Crocodiles."
- 1919. "The Lying Lure of Bolshevism."

Within the limits of this introductory statement of causes and activities it is impossible to set forth in detail the efforts and the results of the last three years. The most important items will be treated separately in the following pages.

The Second Biennial Statement recorded very fully the results of our western campaigns to save the sage grouse and other upland game birds of the West that really were achieved in 1917. In order to bring the work of the Fund as far as possible down to date, we thus forestalled the most important records of one of the years covered by this volume, and of course we will not duplicate that publication

here. And in any event, the report of those results fairly belonged with the records of the campaign work done in 1916.

The chief causes that have occupied our attention during 1917, 1918 and 1919, other than the Grouse campaign, were as follows:—

The game sanctuary bill.

The migratory bird treaty.

The buck law in New York.

The Sulzer bill for the sale of game in Alaska.

A new game act for Alaska.

The encouragement of new bird protection in France.

Aid in the creation of 6,468 Wild Life Sanctuaries.

A contribution to Game Utilization in Canada.

Attempt to start an organization in Texas.

Further support of Iowa's quail defenders.

Opposition to the sale of seized plumage.

We are now to report upon the activities of the past three years and upon conditions affecting wild life as they exist today. Briefly epitomized, the situation of wild life in America is today as follows:

Our songbirds are on the whole very well protected.

Our waterfowl have been and still are, rapidly increasing.

The business of sanctuary-making is prosperous and promising.

The American people are not awake to the necessity of providing millions of fruit trees and shrubs, and widespread protection for upland game birds against the elements and their natural enemies.

The game laws look ten times better than they are. All species of killable game birds save waterfowl are being exterminated "according to law." The sportsmen of America are exterminating their own sport; and this, too, at a very rapid rate.

The total put-back of game through game farms and restocking is as yet infinitesimally small, and as a factor in the ultimate preservation of sport it is limited.

In Alaska the game situation has been getting away from us, and now requires immediate and thoughtful attention.

France, Italy and Belgium need the active help of America in the protection of their insectivorous birds, and in the restoration of their game.

Finally, the republics of Mexico, Central and South America need to be awakened to the necessity of now entering seriously upon the business of conserving their wild life.

It is perfectly evident that the people of the United States now are facing the most serious economic crisis of the past fifty years. The orgy of luxury and unstable high prices in which we have been wallowing will in all probability come to a sudden end in empty storerooms and dinner pails. No one can predict with certainty what the future has in store for the wild life of North America, except that further assaults upon it are bound to occur, all along the line. It is now more than ever the duty of all wild life defenders to redouble their diligence for the protection and perpetual preservation of the remnant, on a continuing basis. The sportsmen of America seem to be bent upon destroying the killable game and also their own sport by the lawful methods of extravagantly liberal game bags and open seasons. Whether the sportsmen will heed the warning which we now are giving them in this volume remains to be seen; and I confess that there is little reason to hope that they will do so to a substantial degree.

During the past three years we have carefully husbanded our resources in expendable funds for the troublous times of the near future, and we have stored up a fair reserve of ammunition for emergency use hereafter.

Our article in this volume entitled "The End of Game and Sport in America?" will arouse severe criticism among thoughtless sportsmen who hunt from year to year under the delusion that whatever the law permits is necessarily right, and safe for the future. Already in certain quarters our efforts to preserve sport with the gun and rod from extinction in America have led a few sportsmen to call the Campaigning Trustee "the bitterest enemy of sportsmen"; but this is to be regarded merely as part of the day's work.

AMENDMENT TO OUR PLAN OF FOUNDATION

NO foundation designed to be permanent, and perform important functions in the uplift of humanitarian causes, can be regarded either as perfect or beyond improvement. When this Fund was planned for the benefit of the wild life of North America, no one dreamed of such world devastation as the last war speedily wrought.

The time came when Duty called upon us to cooperate in the revivifying of wild life protection activities in France and elsewhere abroad. The facts in the new situation were laid before all founders and subscribers to this Fund in the following letter, coupled with a request for a general vote on the question submitted:

NEW YORK, July 25, 1919.

To all Founders and Subscribers of the Permanent Wild Life Protection Fund:

When the Permanent Wild Life Protection Fund was founded the world was at peace, and all nations with which we had close relations in the protection of wild life were prosperous, and abundantly able to finance their own campaign work. It was on that basis that we proposed to make the work of the Fund national in its scope instead of international, and to limit our financial support to the protection and increase of the wild life of America, and especially North America and the United States.

But the war has overturned and destroyed the peaceful and prosperous conditions abroad which once rendered financial aid from America unnecessary. Today America stands in the position of the helper of the world, financially and otherwise. The "impossible" things that have happened have caused the American people to abandon the most of their previous precedents, and formulate new policies. These new conditions now affect the protection of wild life.

In the view of the undersigned it has now become a duty and a necessity that the scope of the operations of the Permanent Wild Life Protection Fund should be made international, with a view to helping any wild life protection cause in a foreign country whenever our duty in the matter seems clear and imperative.

At the present moment our Fund is in a position to render great aid in the organization and promotion, in France, of a great national movement for the increase and protection of the wild bird life of that nation. There never was a time when crop-protecting birds were so much needed in France as now, and the need to promote the protection of these birds is imperative as a protective measure for the field industries of France.

We are already in close touch with the bird protectors of France, and particularly the Ligue Francaise pour la Protection des Oiseaux, having its headquarters in Paris and existing as a branch society of the French National Society d'Acclimatation. A comparatively small amount of financial help from the Permanent Wild Life Protection Fund, subscribed annually for the next three years, would greatly assist the League, not only in the actual payment of the costs of propaganda but also in encouraging the bird protectionists of France through the helping hand of America. The funds for current expenses now in the hands of the Campaigning Trustee are ample for the needs of America, and sufficient to justify the giving of some financial aid to our colleagues in France.

It is entirely possible that ere long it will be found desirable to extend aid to Italy of a similar kind, and for similar purposes. The American people do not need to be told that the people of France and England now have mighty little money to spend on such causes as the protection and increase of bird life; nor is it necessary to point out further that the successful protection of birds means a corresponding increase in the food supply of nations.

In view of all these facts I respectfully propose to the Founders and Subscribers of the Permanent Fund the granting of authority to the Campaigning Trustee to extend the scope of the work of the Fund by making it international. There is no thought or intention of asking for further funds, and it is not our expectation that any large sums from our annual income would be devoted to foreign work. We have in view those special occasions wherein a comparatively small sum bestowed judiciously at a critical moment helps to accomplish a great result.

In order that we may know your views in regard to this question, will you kindly sign the enclosed card, and by means of an erasure mark it to indicate your wishes.

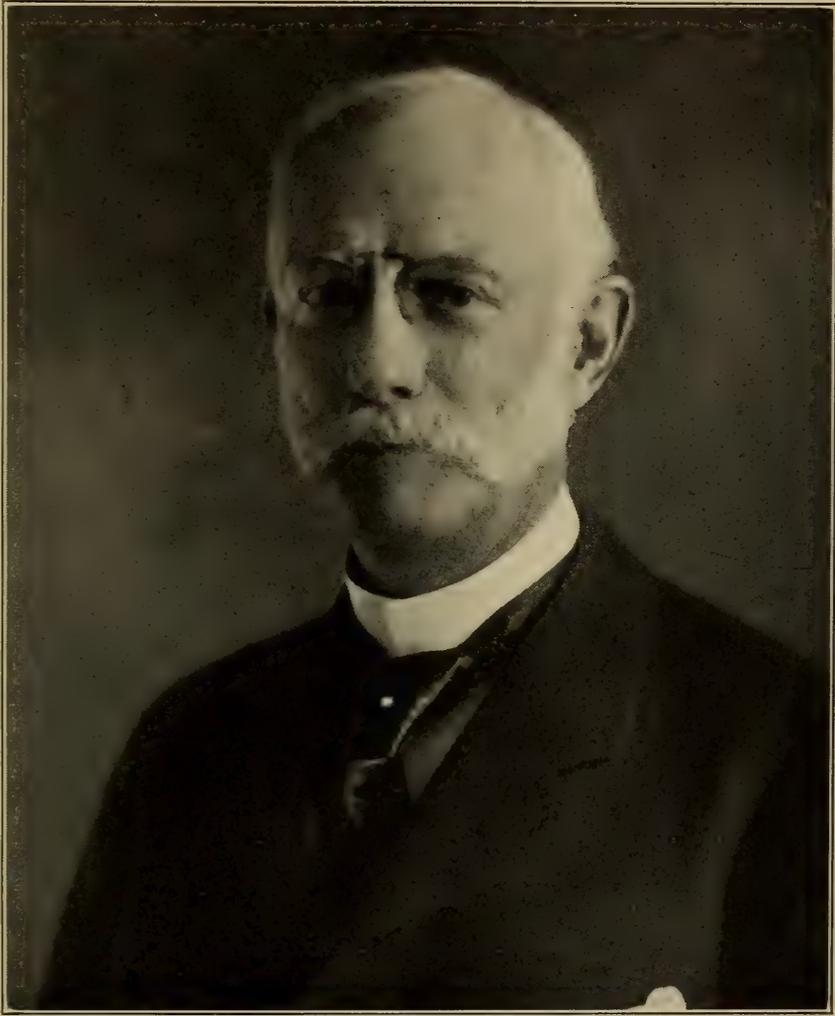
Respectfully submitted,

W. T. HORNADAY,

Campaigning Trustee.

The replies to the above letter represented about two-thirds of the founders and subscribers, and all votes save four were in favor of making the work of the Fund international. This policy has been inaugurated by our participation in the renewal of bird protection in France, through the most important and responsible agency existing there, the French League for the Protection of Birds.

A brief notice of this activity appears elsewhere.



JOHN JAY PIERREPONT

FOUNDERS AND SUBSCRIBERS TO THE PER- MANENT WILD LIFE PROTECTION FUND

COMPLETE TO APRIL 1, 1920. ALL SUBSCRIPTIONS PAID IN
FULL

FOUNDERS.

*MRS. RUSSELL SAGE, New York.....	\$25,000
GEORGE EASTMAN, Rochester, N. Y.....	6,000
MRS. FREDERICK FERRIS THOMPSON, Canandaigua, N. Y.....	5,000
HENRY FORD, Detroit, Mich.....	5,000
WILLIAM P. CLYDE, New York.....	5,000
*JOHN D. ARCHBOLD, New York.....	5,000
ALEXANDER SMITH COCHRAN, New York.....	5,000
WILLIAM H. NICHOLS, New York.....	5,000
*ANDREW CARNEGIE, New York.....	5,000
GEORGE F. BAKER, New York.....	5,000
GEORGE D. PRATT, New York.....	3,000
GEORGE HEWITT MYERS, Washington, D. C.....	3,000
MISS HELOISE MEYER, Lenox, Mass.....	2,000
EDWARD S. HARKNESS, New York.....	1,200
MAX C. FLEISCHMANN, Cincinnati, Ohio.....	1,000
MRS. J. S. KENNEDY, New York.....	1,000
EMERSON McMILLIN, New York.....	1,000
*FREDERICK G. BOURNE, New York.....	1,000
MORTIMER L. SCHIFF, New York.....	1,000
*SAMUEL THORNE, New York.....	1,000
ANTHONY R. KUSER, Bernardsville, N. J.....	1,000
JOHN DRYDEN KUSER, Bernardsville, N. J.....	1,000
FREDERICK F. BREWSTER, New Haven, Conn.....	1,000
FREDERIC C. WALCOTT, New York.....	1,000
MRS. WILLIAM H. BLISS, New York.....	1,000
MRS. R. T. AUCHMUTY, New York.....	1,000
HOWARD MELVILLE HANNA, Cleveland, Ohio.....	1,000
EDMUND C. CONVERSE, New York.....	1,000

*Deceased

ETHEL RANDOLPH THAYER, In Memoriam, Boston, Mass.	1,000
WATSON B. DICKERMAN, Mamaroneck, N. Y.	1,000
JOHN J. PIERREPONT, Brooklyn, N. Y.	1,000

SUBSCRIBERS.

HENRY A. EDWARDS, Albany, N. Y.	550
CLEVELAND H. DODGE, New York	500
JAMES SPEYER, New York	500
JAMES B. FORD, New York	500
FRIEND OF WILD LIFE, Berkeley, Calif.	500
MRS. ETHEL R. THAYER, Boston, Mass.	400
MISS ELIZABETH S. EDWARDS, Albany, N. Y.	300
HOMER E. SARGENT, Chicago, Ill.	300
*ROBERT B. WOODWARD, Brooklyn, N. Y.	250
CHARLES A. DEAN, Boston, Mass.	200
WILLIAM T. HORNADAY, New York	200
JOHN M. PHILLIPS, Pittsburgh, Pa.	100
JOHN C. PHILLIPS, Wenham, Mass.	100
*C. W. POST, Battle Creek, Mich.	100
COLEMAN RANDOLPH, Morristown, N. J.	100
A. BARTON HEPBURN, New York	100
*ZENAS CRANE, Dalton, Mass.	100
Z. MARSHALL CRANE, Dalton, Mass.	100
MISS EMILY TREVOR, Yonkers, N. Y.	100
NORMAN JAMES, Baltimore, Md.	100
HENRY W. SHOEMAKER, New York	100
GUSTAVUS D. POPE, Detroit, Mich.	100
ARTHUR B. LEACH, New York	100
JOHN MARKLE, New York	100
CAMP-FIRE CLUB OF MICHIGAN, Detroit	100
J. ERNEST ROTH, Pittsburgh, Pa.	100
W. J. HOLLAND, Pittsburgh, Pa.	100
ARTHUR W. ELTING, Albany, N. Y.	100
JOHN H. EAGLE, New York	100
EVERSLEY CHILDS, New York	100
WILLIAM C. BRADBURY, Denver, Colo.	100
R. W. EVERETT, Pisgah Forest, N. C.	75
MRS. HARRIET WILLIAMS MYERS, LOS ANGELES, Calif.	50
ALEXANDER V. FRASER, New York	50
AUDUBON SOCIETIES OF PASADENA AND LOS ANGELES, Calif.	30

*Deceased

THIRD BIENNIAL STATEMENT

35

WILLIAM E. COFFIN, New York.....	25
CHARLES WILLIS WARD, Eureka, Calif.....	25
DR. EMILY G. HUNT, Pasadena, Calif.....	25
J. WILLIAM GREENWOOD, Brooklyn, N. Y.....	25
ALFRED COLLINS, Philadelphia, Pa.....	25
*RICHARD HARDING DAVIS, Mt. Kisco, N. Y.....	20
ALAINE C. WHITE, Litchfield, Conn.....	20
<hr/>	
TOTAL	\$103,770

SPECIAL SUBSCRIPTIONS TO CURRENT EXPENSE FUND.

To April 1, 1920.

Colvin Farley, Brooklyn, N. Y.....	\$5.00
Connecticut Chapter, D. A. R., through Miss Cor- nelia B. Smith, Litchfield, Conn.....	5.00
*Charles Hallock, Washington D. C.....	5.00
Henry A. Edwards, Albany, N. Y.....	13.00
<hr/>	
	\$28.00

*Deceased

FORM OF BEQUEST TO THIS FUND.

I hereby give and bequeath to the Permanent Wild Life Protection Fund of New York, founded by William T. Hornaday, Clark Williams and A. Barton Hepburn, as Trustees, and payable to them or their successors, the sum of Ten Thousand Dollars.

TRUSTEES' REPORT

Permanent Wild Life Protection Fund

January 1, 1917, to December 31, 1918

Principal Account

RECEIPTS

Balance, Columbia Trust Co., Jan. 1, 1917		\$1,023.43
Sale \$10,000 Dominion of Canada 5% Notes		10,000.00
Subscriptions: Watson B. Dicker- man	\$500.00	
Henry A. Edwards	150.00	
R. W. Everett.....	24.97	
	674.97	\$11,698.40

DISBURSEMENTS

\$10,000 Norfolk & Western Con. 4's....	\$8,387.50	
\$ 1,000 U. S. First Liberty Loan Con. 4's	1,000.00	
\$ 2,000 Union Pacific R. R. 1st Ref. 4's	1,572.50	10,960.00
Balance on Deposit Columbia Trust Co., Jan. 1, 1919		\$ 738.40

Income Account*January 1, 1917, to December 31, 1918.*

RECEIPTS

Balance, Columbia Trust Co., Jan. 1, 1917	\$	25.62	
Income from Investments		10,648.98	
Interest on balances		47.32	10,721.92
			<hr/>

DISBURSEMENTS

Transferred to W. T. H. "Drawing Account"			
Income on Investments	\$10,538.18		
Interest on balances	47.32	10,585.50	
		<hr/>	
Transferred to Col. Trust Co. Commis- sions		27.09	
Accrued Interest Paid		109.33	10,721.92
		<hr/>	<hr/>

CAMPAIGNING TRUSTEE'S STATEMENT OF
DRAWING ACCOUNT PERMANENT WILD
LIEE PROTECTION FUND

January 1, 1917, to December 31, 1918

RECEIPTS

Jan. 1, 1917, Balance in Columbia Trust Co.		\$120.12
Less checks nos. 212 and 218 not presented up to Dec. 31, 1916.....		18.00
		102.12
Income from Investments.....	\$10,538.18	
Interest on deposits	75.65	
Transfer of accrued interest from Col. Trust Co.	47.32	
Refund account check No. 242.....	62.50	
Sale of "Statement"	\$16.45	
Less exchange.....	.11	16.34
	28.00	
Cash subscriptions to current exp.....	28.00	\$10,767.99
		\$10,870.11

EXPENDITURES

Postage		\$359.19
Telegrams		107.58
Express		10.46
Subscriptions to Organization Work..	1,137.77	
Field Agents' Expenses		612.62
	\$2,227.62	
<i>Carried Forward</i>		\$2,227.62

<i>Brought Forward</i>	\$2,227.62	
Field Agents' Services	100.00	
Miscellaneous Services	211.50	
Multigraph Letters	34.15	
Travel and Subsistence	285.02	
Books and Periodicals	71.75	
Printing	1,930.90	
Engraving	43.32	
Office Equipment and Supplies	67.15	
Press Clippings	31.17	
Stationery	147.55	
Photographs, Drawings and Slides ...	52.50	
Medals and Certificates of Award.....	753.00	
Prizes for Wild Life Protection.....	95.00	6,050.63
		<hr/>
Invested Funds, 3rd and 4th Liberty Loans, all coupons attached.....		3,100.00
Unexpended cash balance on hand Dec. 31, 1918		8.00
		<hr/>
		9,158.63
Less		
Check No. 360 not presented up to Dec. 31, 1918		50.00
		<hr/>
		\$9,108.63
Jan. 1, 1919, Balance in Columbia Trust Company		\$1,761.48
		<hr/>
		<u>\$10,870.11</u>

CAMPAIGNING TRUSTEE'S STATEMENT OF EXPENDITURES BY CAUSES

Jan. 1, 1917, to December 31, 1918.

General Campaign	\$1,127.77
National Educators Conservation Society	100.00
Missouri Fish and Game League	100.00
Sage Grouse and Quail Campaign	651.17
Game Sanctuary Campaign	204.88
Texas Campaign	120.00
California Campaign	75.00
New York State Campaigns	176.34
Migratory Bird Law, Treaty and Enabling Act	77.09
Connecticut Campaign	50.00
Bird Sanctuaries	464.00
Feather Millinery	45.00
Alaska Campaign—Sulzer Bill	52.05
District of Columbia—Non-sale of Game.....	25.00
Ligue Francaise pour la Protection des Oiseaux, Paris	262.77
Societe Nationale d'Acclimatation de France, Paris	500.00
Second Biennial "Statement" of the P. W. L. P. F., (1915-1916)	2,019.56
	6,050.63
Invested Funds, 3rd and 4th Liberty Loans, all coupons attached	3,100.00
	\$9,150.63

REPORT OF THE AUDITOR OF THE PERMANENT WILD LIFE PROTECTION FUND

Examination of the records submitted by Dr. Hornaday relating to the "Drawing Account" of the Permanent Wild Life Protection Fund, and of the records at the Columbia Trust Company relating to the "Principal" and "Income" Accounts, shows transactions in these three accounts for a period of two years following the date of the last audit, Dec. 31, 1916.

The expenditures itemized are supported by proper receipted vouchers. All canceled checks are accounted for, and the balances shown on deposit with the Columbia Trust Co. are in agreement with the amounts reported by the Trust Co.

The \$3,100 Liberty Bonds, with all coupons attached, in possession of Dr. Hornaday, were examined and found in order.

The list of securities held in trust by the Columbia Trust Company for safe keeping, as of December 31, 1918, appearing elsewhere in this report, has been verified by the Columbia Trust Co.

Respectfully submitted,

H. A. STINGLEY,
Auditor.

New York, Oct. 31, 1919.

CAMPAIGNING TRUSTEE'S STATEMENT OF
DRAWING ACCOUNT PERMANENT WILD
LIFE PROTECTION FUND

Jan. 1, 1919, to December 31, 1919.

RECEIPTS

Jan. 1, '19, Balance in Columbia Trust Co.,		\$1,761.48
Less check No. 360 not presented up to Dec. 31, 1918.....		50.00
		\$1,711.48
Income from investments	\$5,280.00	
Interest on deposits	86.69	
Transfer of accrued interest from Col. Trust Co.	10.50	
Sale of "Statement"	1.00	5,378.19
		\$7,089.67

EXPENDITURES

Postage	60.05	
Telegrams	11.08	
Subscriptions to Organization Work	500.00	
Field Agent's Expenses	250.00	
Miscellaneous Services	399.00	
Multigraph Letters	5.31	
Traveling and Subsistence	245.85	
Periodicals and Books	16.50	
Printing	9.80	
<i>Carried Forward</i>	\$1,497.59	

<i>Brought Forward</i>	\$1,497.59	
Press Clippings	4.28	
Stationery	23.10	
Photographs, Drawings and Slides	1.10	
Certificates of Award	1.00	
Organization membership	25.00	1,552.07
Less—		
Unexpended cash bal. on hand		
Dec. 31, 1918	8.00	
Check No. 400 not presented up to Dec. 31, 1919	100.00	108.00
		<u>1,444.07</u>
Jan. 1, 1920, Balance in Columbia Trust Company		<u>\$5,645.60</u>

CAMPAIGNING TRUSTEE'S STATEMENT OF
EXPENDITURES BY CAUSES
INCOME ACCOUNT

Jan. 1, 1919, to December 31, 1919.

General Campaign	\$638.99
Quail Campaign in Iowa	250.68
New York State Campaign.....	56.85
Bird Sanctuaries	25.55
Feather Millinery	30.00
Ligue Francaise pour la Protection des Oiseaux	500.00
Third Biennial "Statement" of the P. W. L. P. F. (1917-18-19)	50.00
	<hr/>
	\$1,552.07

AUDITOR'S REPORT

I have checked the items appearing in the foregoing statement of receipts and disbursements covering the period from Jan. 1, 1919, to Jan. 1, 1920, and have found all disbursements to be supported by proper receipted vouchers and canceled checks. The amount shown on deposit with the Columbia Trust Company on January 1, 1920, namely \$5,645.60, is in agreement with the Columbia Trust Company's statement of that date. All canceled checks are accounted for.

Respectfully submitted,

H. A. STINGLEY,

New York, March 31, 1920.

Auditor.

LIST OF SECURITIES HELD BY THE COLUMBIA TRUST COMPANY IN SAFEKEEPING FOR ACCOUNT PERMANENT WILD LIFE PROTECTION FUND, AS OF DECEMBER 31, 1918

\$10,000.—p.v. 6% Debentures of the TEXAS OIL COMPANY, interest payable January and July 1st, due 1931.

10,000.—p.v. Gen'l Mtge. 4% Bonds of the NEW YORK & WESTCHESTER LIGHTING Co., interest payable January and July 1st, due 2004.

11,000.—p.v. Collateral Trust 4% Bonds of the AMERICAN TELEPHONE & TELEGRAPH Co., interest payable January and July 1st, due 1929.

11,000.—p.v. First and Refunding 5% Bonds of the INTERBOROUGH RAPID TRANSIT Co., interest payable January and July first, due 1966.

15,350.—p.v. 5% Ctfs., Class "B" of the MORRIS PLAN COMPANY OF N. Y., interest payable January and July 1st, due 1921.

10,000.—p.v. 20-yr. 6% Convertible Debentures of the NEW YORK CENTRAL RAILROAD Co., interest payable May and November 1st, due 1935.

10,000.—p.v. 5-yr. 5% External Loan of the ANGLO FRENCH GOVERNMENT, interest payable April and October 15th, due 1920.

15,000.—p.v. 6% Bonds of the REMINGTON TYPEWRITER Co., interest payable January and July 1st, due 1926.

- 10,000.—p.v. First Cons. 4% Bonds of the NORFOLK & WESTERN RAILWAY Co., interest payable April and October 1st, due 1996.
- 2,000.—p.v. First Lien & Refunding 4% Bonds of the UNION PACIFIC RAILROAD Co., interest payable March and September 1st, due 2008.
- 1,000.—p.v. UNITED STATES OF AMERICA First Liberty Loan Converted $4\frac{1}{4}\%$ Bond, interest payable June and December 15th, due 1947.

MEDALS FOR DISTINGUISHED SERVICES TO WILD LIFE

AWARDED BY THE TRUSTEES OF THE PERMANENT WILD
LIFE PROTECTION FUND.

JOHN M. PHILLIPS.

Pennsylvania State Game Commissioner, Pittsburgh.

Awarded at the annual convention of the Pennsylvania
Wild Life League, Pittsburgh, Dec. 19, 1918.

Awarded as a token of appreciation of fifteen years of continuous, devoted, self-sacrificing and highly successful services to the cause of wild life protection, covering Pennsylvania, the United States and eastern British Columbia. The services rendered have been highly constructive, and have gone far toward the lessening of excessive killing, the creation of important sanctuaries, the increase of native song birds, the destruction of vermin and the enforcement of protective laws.

To the initiative and the efforts of Mr. Phillips, the sportsman, was chiefly due the creation, in 1907, of the Elk River Game Preserve, of about 500 square miles in a hunter's paradise in southeastern British Columbia.

Commissioner Phillips has taken a very active part in restoring the sport of deer-hunting to Pennsylvania, by the creation of a great group of state game preserves, each one surrounded by about 5,000 acres of state hunting-grounds.

THORNTON W. BURGESS.

Author of *Bird and Animal Stories*, Springfield, Mass.

Awarded at the annual meeting of the New York Zoological Society, New York, Jan. 14, 1919.

Awarded in acknowledgment of distinguished services rendered to the wild life of America, and the children of America, in opening the eyes of the latter to the most interesting features of wild life, and at all times insisting upon its humane and thorough preservation.

As the author of 2,500 "Bedtime Stories," and 27 books of stories about birds and mammals, Mr. Burgess has spoken long and well to an audience of millions of American boys and girls. His conscientious and correct presentations, his inspiring love for the wild creatures, and his sane and logical treatment of the sport question called for the highest honor that it was within the power of the Trustees of the Fund to bestow.

JOHN M. CLARKE.

Director of the New York State Museum, Albany.

Awarded at a meeting of the Board of Regents, New York, Dec. 19, 1919.

Awarded for leadership in the permanent protection of the birds of the Gulf of St. Lawrence and its environs. Ten years ago, the sea birds of that great region were very inadequately protected, and the slaughter of them that annually took place threatened quickly to exterminate the crested cormorants, gannets, gulls, terns and other sea birds of Gaspé, Bonaventure Island, the Bird Rocks of the Magdalen Islands, and elsewhere.

Dr. Clarke, an American scientist long familiar with that region, took up the task of setting on foot the movement which presently gathered strength in Canada, and finally resulted in the protective measures that have saved

the birds. Laws were enacted prohibiting bird hunting and creating—at no small trouble—effective bird reservations.

Services so humane, so praiseworthy and so effective as those rendered by Dr. Clarke to that rather remote region were deemed by the Trustees worthy of commemoration.

MEDALS AWARDED FOR SANCTUARY WORK
IN THE CONTESTS CONDUCTED BY THE PEOPLE'S
HOME JOURNAL.

Awarded in 1918.

	Sanctuaries.	Acres.
REV. HAROLD E. MOUSE, Elkins, W. V.....	128	65,268
REV. J. J. RESH, Freeland, Pa.....	87	72,932
MIRA HUNT, King, Mont.....	103	54,949
GEORGE L. L. DE ST. REMY, High Point, Saskatchewan, Canada	66	52,425

Awarded in 1919.

FRANK B. TICHENOR, Portland, Oregon....	402	525,729
Sanctuaries located in Oregon, Nevada, Idaho, Texas, Iowa, Washington, Michigan and California.		
BERTHA J. MASTIN, Elkins, N. H.....	335	46,740
MRS. PAMELA J. FRANCISCO, Ridgewood, N. J.	412	18,303
Sanctuaries located in New Jersey, New York, Massachusetts, Virginia, Iowa, Kentucky and North Carolina.		

PART II.—CAMPAIGN REPORTS AND PAPERS

THE TRAGEDY OF NEW YORK'S "BUCK LAW"

NINE MEN AND 13,000 FEMALE DEER SACRIFICED IN 1919 ON
THE ALTAR OF HUMAN FOLLY

CHAPTER 1

IF the story of the culminating tragedy of the long fight over the "buck law" of New York does not convey a solemn warning, and bring about a quick reform in every doe-killing state in our country, then nine good men of New York and 13,000 doe deer have died in vain.

If anywhere in America nine men were quickly killed through a legislative blunder, made despite the most earnest and long-repeated warnings, it would publicly and widely be denounced as an outrage. Already there is reason to believe that some of the men who are most to blame for last year's repeal of the New York buck law have repented in sack-cloth and ashes their fatal mistake.

Ever since the buck law of New York was first proposed, it has been a storm centre of bitter conflict. From its inception a dozen years ago, through its enactment in 1912 down to its repeal in 1919, it has been opposed and defended. It was proposed and fought for by the wild life protectors of New York City and the southern two-thirds of the state,—always excepting the irreconcilables of Long Island,—and it was opposed and fought only by a portion of the extreme northern end of the state, and Long Island. Its particular opponents were found among the guides of the Adirondacks and their friends, and the constituents of Assemblyman Downs of Long Island, the veteran foe of game protection.

In states having deer that legitimately may be hunted, a "buck law" is designed to limit the killing of wild deer to

bucks having horns that rise at least three inches above the hair of the crown. Necessarily it follows that in the observance of this law a hunter may not kill or wound a female deer or a fawn, and therefore he must not fire at any deer until he actually sees horns upon it, three (or four) inches high.

The warning slogan of the New Mexico Game Protective Association is exceedingly apt and forceful:

If You Don't See His Horns, She's a Doe!

As we have said a hundred times, the economic and ethical reasons for a buck law, and a law against doe-killing, are categorically as follows:

- 1.—The preservation of the deer species from extinction;
- 2.—The preservation of legitimate deer-hunting sport;
- 3.—The preservation of human life;
- 4.—The preservation of state honor, and
- 5.—The preservation of the rights of the American boy.

In and before the New York legislature the foes of the buck law fought us on the first three of these principles, and were silent on the last two.

Because two or three deer hunters were killed during the reign of the buck law, our opponents vehemently denied our claims under Principle 3, and vehemently insisted, early and late, that "the buck law does NOT save human life."

In 1916, the second year of Governor Charles S. Whitman's first term, we had a great fight at Albany over the buck law repeal bill of Assemblyman Kasson. That bill was easily put through the Assembly, and through some sharp practice in the Senate, based on the "short roll-call" at the dangerous "last moment," it went into the official records as

having "passed" that body, also. Then it went to the Governor for signature.

To Governor Whitman we made our final appeal; and the forces that had passed the bill also bore down upon him in its favor.

In view of the host of enemies that the Chief Executive surely would make by adverse action, it seemed almost unfair to ask for a veto. But we put the situation before him, standing upon facts and logic, and asked him to save the female deer, to save the lives of hunters, and to save the good name of the state.

Regardless of any and all consequences to himself, either personal or political, in defiance of a strong element in the legislature, and in response to the call of Duty and Honor, *Governor Charles S. Whitman vetoed that bill!* And he did it with a ringing, stinging veto message which in effect declared that the men who had passed that bill ought to be ashamed of themselves.

The legislature of 1918 wisely refrained from passing another repeal bill, because it knew that if it did so that also would be vetoed by the Governor.

On January 1, 1919, Governor Alfred E. Smith took the executive chair; and from the first day of the assembling of the legislature (of 1919) a doe-killing bill was slated to be passed by both houses. We were assured that "Nothing can stop it."

Feeling quite certain that the bill would be passed by the Assembly, we made no serious effort in that body to stop it. We concentrated our efforts on the Senate. At the hearing granted us by the Committee on Fish and Game, the combined forces of game protection made a representation that literally was everything that could be desired. As usual, the opposition appeared in strong force, and vigorously fought us on every point.

The issue was known as "the Everett bill," because it was introduced and vigorously championed by Assemblyman Edward A. Everett, of St. Lawrence County. It merely provided for the killing, during the year 1919, of "one deer" per license, either male or female; and of course its full enactment into law wrought the repeal of the buck law.

The Senate promptly passed the bill and sent it to Governor Smith.

In response to our requests for a hearing on the bill prior to executive action, the Governor kindly granted one. It was held in the Executive Chamber, and occupied the entire afternoon of April 17, 1919.

Never did the champions of wild life make a finer showing of strength, unity and high purpose than was made on that memorable occasion. On our side it was practically identical with our appearance before the Senate Committee. It is a pleasure to record here the names of the men who appeared and spoke, and the organizations and localities they represented. The full list is as follows:

OPPOSERS OF THE DOE-KILLING BILL.

GEORGE D. PRATT and W. S. CARPENTER	New York State Conservation Commission
WILLIAM B. GREELEY.....	Camp-Fire Club of America
JOHN B. BURNHAM.....	American Game Protective & Prop. Association
OTTOMAR H. VAN NORDEN.....	Long Island Game Protective Association
DANIEL CARTER BEARD	The Boy Scouts of America
CHARLES L. BRISTOL.....	National Educators Conservation Society
W. O. STILLMAN.....	American Humane Association
ALBERT J. SQUIRES.....	N. Y. State Fish, Game and Forest League
A. K. FISHER.....	Biological Survey, Washington, D. C.
JULIUS H. SEYMOUR.....	Lake Champlain Association
EDWARD HAGAMAN HALL	Association for the Protection of the Adirondacks
FRED J. DAVIS.....	Utica Fish and Game Association
W. T. HORNADAY	Permanent Wild Life Protection Fund and N. Y. Zoological Society

CHAMPIONS OF THE EVERETT DOE-KILLING BILL.

ASSEMBLYMAN EDWARD A. EVERETT.....	of St. Lawrence County
SENATOR M. Y. FERRIS	
G. T. BARKER.....	Oneonta Fish and Game Club
JOHN B. JUDSON.....	Fulton Fish and Game Club
C. T. SPERRY.....	White Plains Sportsmen's Association
M. H. HOOVER.....	President New York Conservation Association
D. T. SULLIVAN.....	Hamilton County, N. Y.
JAS. S. WHIPPLE.....	ex-Conservation Commissioner
E. A. MACKAY.....	Delaware County Game Club
MR. BUTLER.....	Otsego County, New York Conservation Association
A. J. CLIFFORD.....	Gloversville
JOHN M. FRANCIS.....	Editor Troy <i>Times</i>
J. S. KILEY.....	District Attorney for Warren County

Among the supporters of the doe-killing bill, the representation was not as strong as we have seen it at other times. On this occasion, however, we were surprised by finding in the ranks of the opposition to the buck law two former champions of conservation, both of them formerly in state employ as protectionists. Their appeal to the Governor was: "Let us *try* this other plan, and see if it won't produce better results."

Our showing of fact and logic was far stronger than the facts and arguments in rebuttal. It was everything that could be desired—save for one thing:

The awful lawlessness that had been the rule in the Adirondacks had resulted in a *fearful annual slaughter of female deer* that we could not deny, and that we made no attempt to deny. That was the one weak spot in our armor. Our Conservation Commission admitted its belief that annually between 3,000 and 5,000 female deer were killed contrary to law, *by lawless hunters and guides*.

The report of Commissioner Pratt for 1918 based on the excellent and deadly secret service work of his wardens, revealed in the Adirondacks a wide-spread, vicious and destructive spirit of lawlessness that was positively amazing. And it was also humiliating to know that native Americans

could be so lawless, and so generally glory it it! The story is told, briefly but well, by Commissioner Pratt, as follows:

EXTRACTS FROM THE ANNUAL REPORT OF THE
CONSERVATION COMMISSION, 1918

Enforcement of the Deer Laws:—Apparently authentic reports of wholesale violations of the deer laws in the Adirondacks caused the Commission to detail a number of protectors upon secret service work in the season of 1917 and again in 1918. The carefully substantiated evidence of conditions in the deer forests, turned in by these men, is nothing short of astounding. No good will come from blinking the facts. Practically every possible violation of the deer law was encountered by the protectors, and not once, but repeatedly.

The most regrettable fact brought out in the entire investigation was the determination on the part of large numbers of hunters to shoot anything that they saw, regardless of sex or age, and to shoot as much as they could, regardless of the bag limit. If one killed more than his legal number of deer, he divided with others, while if one killed an illegal deer, either doe or fawn, he skinned it and took the meat. Dogs were in common use in camp after camp, and whole deer and parts of them were continually bought and sold. An analysis of the violations thus reveals that they were due not to dissatisfaction with any one law, but to general contempt for the Conservation Law per se. The protectors were all required to report whether the hunters in the camps to which they were assigned operated on the general plan of killing practically anything that they saw, and more than two-thirds of the protectors answered this question in the affirmative. The result of this determination is shown in 101 deer that came within the protectors' immediate knowledge. 46 were bucks, 44 were does, and 11 were fawns of both sexes. It was a matter of great interest in one camp that one man had killed eight does in the season, while another at the same camp, by a singular coincidence, had killed eight bucks.

The Commission wishes particularly to point out that the violations of the deer law involve no particular class or locality more than another. Men of all walks of life

are involved, and even some women who deliberately stood upon runways in wait for deer that were being run by dogs. Efforts to correct the old outworn point of view regarding wild life—a point of view that would make game the property of whoever can get it, regardless of law—must accordingly be directed to every class and locality. (pp. 47-48).

Governor Smith went through that long hearing with perfect patience and fairness. Everyone had an opportunity to say what he came to say.

At the close of the hearing a most unexpected incident occurred. Governor Smith invited the writer and Commissioner Pratt into his private office, for a heart to heart conference. A little later on Chief Game Protector Legge was sent for. It was quickly revealed that the Chief Executive felt himself in a very difficult, and even painful, situation; but on one point his mind was perfectly clear. *Something new must be done!*

As nearly as we can recall them, these were the Governor's words:

"Gentlemen, this deer-hunting situation now has reached a point where it is intolerable. The amount of unlawful doe-killing in the Adirondacks is very destructive to the deer, and besides all that, it is a shame and a disgrace to this state. *Something different must be done about it!* With people in the Adirondacks feeling as they do, and doing as they now are doing, it would take 1,000 game wardens to enforce the law, instead of 125.

"Now, we really must try some other plan. As things are now, you admit that probably from 3,000 to 5,000 female deer are killed every year, and under this new bill it couldn't be *much* worse than that!

"We are asked to try this new plan for a year. Its sponsors insist that it will help the situation, and be less hard on the female deer. I think we ought to try it, for one season.

The deer could not be exterminated in one season, could they? No. Perhaps some good would come out of it, somewhere. The present situation is intolerable, and there must be a change of some kind. Let's try this Everett bill for one season, and if it don't work satisfactorily, I'll help you repeal it next winter!"

At the last moment the writer strongly recurred to the danger to human life, and predicted a slaughter of men under any doe-killing law. To this the Governor replied:

"The other side declare that there won't be any more men killed under the new law than there have been under the buck law. If there are, of course I may be blamed, as I have been in my life for other things, but if I am I will have to stand it."

At heart Governor Smith is *opposed* to the killing of female deer, and to endangering human life in that way, or in any other way. But the lawless doe-killer of the North Woods had created a situation that held him as in a vise, to the stern duty of trying something different, of trying to find a way out.

Forced by a situation that bad citizens had rendered beyond control, and quite against his own feelings and inclinations, Governor Smith finally signed the Everett bill.

Knowing all that Commissioner Pratt and I know, I do not hold our Governor blamable for any one thing that has occurred under the fatal Everett law.

Governor Alfred E. Smith is a true friend of wild life and of legitimate sport, and a true conservationist. He has favored all measures for the better conservation of our state's assets in wild life, and he has not permitted "politics" to lay even one hand upon the State Conservation Commission. I believe that his act in signing the Everett bill called for real courage and determination.

CHAPTER II.

Immediately following the signing of the Everett bill into statute law, authorizing the killing of female deer, we sent throughout the state of New York a press bulletin warning all deer hunters of the danger of being killed, and warning all parents against permitting their sons to endanger their lives in deer hunting in the Adirondacks. Only a few editors thought the warning of sufficient importance to justify its use of space.

It seemed to us perfectly clear

(1) That the end of the war would bring to the North Woods a greatly increased number of deer hunters, and

(2) That the repeal of the buck law surely would lead to many men-shooting fatalities.

According to the carefully sought and carefully compiled records of the Conservation Commission, during the six open weeks of 1919 a total of approximately 60,000 men and boys went deer hunting in the State of New York. A very few hunted in the Catskills, the remainder in the Adirondacks.

The expected happened.

Nine men were killed by being mistaken for deer, and seven were wounded, but survived.

During the season of 1918 two men were "killed for deer" by men who admitted that they were hunting illegally, and not specially looking for deer with antlers.

At the hearings at Albany the doe-killers claimed that under the Everett bill no more does than bucks would be killed, and no more than were being killed each year in defiance of the law.

The total number of hunting licenses issued in New York State in 1919 was about 200,000, or five full divisions of men armed with the most deadly weapons for deer or men,

and ably guided. Now, does any other state, territory or province of North America, or any of our colonial possessions, care to try or to continue the method of the Everett doe-and-man killing law? Are men so cheap that this waste of human life can go on?

Mr. Daniel Carter Beard, National Commissioner of the Boy Scouts of America, once was sighted by a hunter in the open season, as "a moose." But the hunter thought that he was a *cow* moose; and inasmuch as it was not lawful to shoot cow moose, Mr. Beard was not killed.

We are informed that many of the men who fought the doe-killing law now recognize the mistake they made and are sorry they made it. Many repeal bills were offered, and Governor Smith sent to the legislature an urgent special message recommending the repeal of the Everett law.

The Governor's demands and the demands of the situation as a whole met with a quick response from the legislature. The bill introduced by Assemblyman Warren T. Thayer was enacted into law, repealing the Everett law, providing for the killing of one antlered buck only and also shortening the open season from six weeks to four weeks.

But meanwhile nine dead men lie upon the altar of Per-
nicious Folly.

In 1918 the Adirondacks contained about 50,000 deer. In 1918 between 8,000 and 10,000 were killed, many of them females that were killed contrary to law and order, contrary to the ethics of hunting sport and in defiance of decency on the trail.

In the season of 1919, nearly 20,000 deer were killed, and it is safe to say that at least 13,000 of them were does. The total number of deer hunters in 1919 was 64,055.

The official list of men "killed for deer," as furnished by the State Conservation Commission, is as follows:



NELSON F. JONAS, Aged 18

One of the Nine Victims of the Doe-Killing Law in New York in 1919.

List of Hunters Killed in the Adirondacks in 1919 through the Operation of the Law Permitting the Killing of Female Deer

NELSON F. JONAS, Great Bend, N. Y.

Age 18 years. Student of the State College of Forestry, Syracuse University. Mistaken for a deer.

THOMAS ROSS, Carthage, N. Y.

A "moving object" thought to be a deer. Killed by two bullets in the chest.

HARLEY MARTIN, Grant, N. Y.

Aged 50 years. Mr. Martin wore a light-colored suit and while bending over to pick a flower was mistaken for a deer and shot and instantly killed.

J. AUGUST OHL, Utica, N. Y.

17 years old. He wiped his face with a white pocket handkerchief which was mistaken for the white tail of a deer and led to the fatal shot.

THOMAS ROMEO, Carthage, N. Y.

40 years of age. Seriously wounded, but lived seven days after the shooting.

JOSEPH DERRICK, Rome, N. Y.

When out with a party of six other hunters, "a doe suddenly appeared near by and the entire party began shooting at the animal. During this shooting Derrick was shot and instantly killed."

HENRY C. CHRISTGAU, Brooklyn, N. Y.

53 years old. While posted on a runway he made a movement, was mistaken for a deer, shot and wounded so seriously that he died one week later.

M. LEONARD HAWLEY, Ilion, N. Y.

42 years old. While out hunting with a party near Canada Lake he made a movement, was mistaken for a deer, fatally shot, and died in a few hours.

DAVID LA PIERRE, Tupper Lake Junction, N. Y.

23 years old. He wore a pair of white overalls and white hunting cap. A portion of his clothing was seen and mistaken for the white tail of a deer. His death occurred a few hours after the shooting.

LIST OF MEN SERIOUSLY WOUNDED.

DANIEL MALONE, Baldwinsville, N. Y.
JOSEPH MITCHELL, Minerva, N. Y.
GEORGE ORR, Wells, N. Y.
NELSON CHARLAND, Saranac Lake, N. Y.
WILLIAM REIFFENBERG, Willsboro, N. Y.
VIVIAN LACASSA, Newcombe, N. Y.
CHARLES SNYDER, Port Jervis, N. Y.

Total, 9 deaths and 7 men wounded by being mistaken for deer during the hunting season of 1919.

In 1918 there were issued 230,079 hunting licenses, each one good for all kinds of New York State game up to the total bag limits set for the various species. Those licenses were good for the killing of 460,000 deer out of the total 50,000 generously credited to the forests of New York.

If one-fourth of our licensed hunters were able to kill each one deer in a given year, our State deer would in one year be exterminated.

How much does all this look like the "conservation" of our dreams?

THE LATEST AVAILABLE FIGURES.

To ascertain with desirable closeness the number of deer killed in New York during the past hunting season, and the number of bucks and does, has been a long and difficult task. Even up to April 30, 1920, the actual figures were not ready.

However, the mass of facts that already has been accumulated by Commissioner Pratt is sufficient to furnish a fair estimate of the final results. The following preliminary statement from "The Conservationist Magazine," under the title "A Review of the Deer Season," is quite sufficient for practical purposes today. From this and other articles we feel justified in believing that the number of female deer killed in New York in 1919 was very close to 13,000.

“The Commission believes that when the final figures are available they will indicate that considerably more than 20,000 deer have been killed during the season of 1919. In the season of 1917, when approximately 37,000 men hunted deer, the final figure indicated a kill of between 8,000 and 10,000 bucks. The following general conclusions, however, may be stated even in advance of the final figures: First, that the number of bucks killed has exceeded the number of bucks taken in a buck law year, and that the new law has thus not operated to protect the bucks; second, that the number of does taken has been very much in excess of the number of bucks.”

CHAPTER III.

HOW THE VARIOUS STATES STAND TODAY

THE 16 STATES THAT HAVE BUCK LAWS.

Showing Bag Limits Per Season.

Alabama	1	New Jersey	1
Alaska	3	New Mexico	1
Arizona	1	New York	1
Arkansas	2	Oregon	2
California	2	Pennsylvania	1
Colorado	1	Texas	3
Mississippi	5	Utah	1
Missouri	1	Wyoming	1

THE 19 STATES THAT PERMIT DOE KILLING.

Showing Bag Limits Per Year.

Connecticut	Unlimited	North Carolina	
Florida	3	County Laws Vary	
Georgia	2	South Carolina	5
Idaho	1	South Dakota	1
Louisiana	5	Vermont	1
Maine	2	Virginia	
Massachusetts	1	County Laws Vary	
Michigan	1	Washington	
Minnesota	1	East of Cascades.....	1
Montana	1	West of Cascades.....	2
Nevada	1	Wisconsin	1
New Hampshire	2	Montana	1

DEER HUNTING IS AN EXTINCT SPORT IN THESE 14 STATES:

In some of the States listed below, wild deer are totally extinct. In the remainder they are so nearly extinct that the sport of deer hunting has been completely suspended by law at least for the present.

Delaware.

Illinois.

(Close season, 1925.)

Indiana.

Iowa.

Kansas.

Kentucky.

Maryland.

(Close season, 1922.)

Nebraska.

North Dakota.

(Close season, 1920.)

Ohio.

Oklahoma.

(Close season, 1922.)

Rhode Island.

(Predatory deer killable)

Tennessee.

(Close season in 1919.)

West Virginia.

(Close season, 1922.)

THE QUAIL TRAGEDY ON LONG ISLAND

IN a very short time the Bob White will be as thoroughly extinct on Long Island, New York, as the dodo is on the Island of Mauritius. Swine running at large annihilated the latter; and as to the status of the parties whom History will hold responsible for the tragedy of the quail History shall be the judge.

In all our experience in wild life protection, few destructive episodes have been more inexcusable or more exasperating than the Long Island case. In view of what it means to the inhabitants of a considerable area of New York State, the history of it must go on the records.

Throughout the past fifteen years the game killers of Long Island have claimed, and fought for, special privileges for themselves. The market hunters, the shooting guides and other hunters of that Island, first, last and all the time, have demanded license to slaughter wild game as their selfish interests dictated. It was the news of their grand combine in the fall of 1910, to wipe out the best duck-shooting laws then on our statute books, that made the writer determine to carry the war into their own camp, and have with them a fight to an everlasting finish.

The Bayne Bill, for the stoppage of the sale of all native wild game in the State of New York, was our answer to the Long Island combine, and with it the bird defenders of the State swept them off their feet so completely that they never have regained their footing. Assemblyman Downs still goes to Albany, and still tries to pull their chestnuts out of the fire, but out of the wreck of their demands they have saved only one item—the right to exterminate their quail.

I distinctly recall the fact that when we appealed to the Legislature for a five-year close season for quail throughout New York State, Mr. Robert B. Lawrence said: "Nonsense! There are plenty of quail." But it prevailed everywhere throughout the State save on Long Island. The old guard of Long Island killers was strong enough to secure the exemption of the dark-and-bloody ground, from Brooklyn to Montauk. This was in 1914.

As time went on the slaughter of the pitiful remnants of Long Island quail merrily proceeded. Men who regarded themselves as good sportsmen and true game protectors grieved in winter over the starving and freezing of quail in sleet storms and deep snows, and blithely went out in the fall to comb out the last survivors and shoot them up for "sport." And not one of them even made one move to arrest the annual slaughter and give the few surviving quail a little rest and a chance to recuperate. The confirmed quail-killers said:

"If we don't kill them the cold winters will!"

And so the slaughter of THE REMNANT went on.

Really, is not Man, at times, the most remarkable animal on earth?

But there were a few men on Long Island who were differently constituted, and to whom the quail situation was gall and wormwood. One was Mr. Archibald C. Weeks, lawyer, and the other was Mr. G. Herbert Henshaw, editor of "Brooklyn Life." For months Mr. Weeks worked night and day to make an impression on the public mind at Albany and elsewhere in behalf of the quail, but without result.

Then Mr. Henshaw approached the writer and asked him to start something. Prof. Charles B. Davenport, of Cold Spring Harbor, bitterly complained of the disgraceful conditions. We said:

“There must be adduced some evidence that a great many *Long Island people* wish quail-shooting stopped for five years, or nothing can be done. Gather your people together, then appeal to the State Conservation Commissioner for a regulation that will achieve the desired result. Prove that it is wanted by the people at large and the order will be forthcoming.”

On this advice Mr. Henshaw and the others promptly acted. Mr. Henshaw's petition was signed by about 160 of the best citizens of Long Island, and sent to Commissioner Pratt. And then came the show-down.

At the hearing by the Conservation Commission in New York on April 30, 1917, there were some startling developments. Practically all the country clubs of Long Island, to a total number of about 16, were well represented,—solidly *against the petition!*

The New York Association for the *Protection of Game* was represented by Robert B. Lawrence, Secretary and John H. O'Connor, Counsel, both in vehement *opposition* to the petition! They gave the quail of Long Island

“Such protection as vultures give to lambs.”

Of persons supporting the petition, there were present precisely five: Mr. Henshaw, Mr. Weeks, Miss Weeks, Dr. C. H. Townsend and Mr. Hornaday. The most astonishing feature of the hearing was the appearance of Messrs. Lawrence and O'Connor, representing an alleged game protective organization.

The representatives of the hunting clubs contended that quail were “not disappearing,” or at least “not from their grounds.” Then the writer asked each man who believed that quail were *not decreasing, over Long Island generally*, to hold up his hand.

At first not one hand went up. Then the quail-killers anxiously glanced about and looked at each other inquir-

ingly. Then one hand was timidly raised. Presently another stole up; and then others gathered courage and slid up, until a total of 17 men held their hands aloft, *and bore false witness against Bob White!*

Really, it was an astounding exhibition; and as good as a play.

Another hearing was held later on at Riverhead, on May 7, with parallel results. The quail killers were out in great force, and of the quail defenders only two or three were present.

The Conservation Commissioner felt impelled to decide the case according to the preponderance of evidence. The killers overwhelmingly swore away the lives of the quail of Long Island, and the petition was denied.

The writer personally saw the previous year at one of the large country clubs of Long Island four sportsmen go out with four dogs on the first day of the quail-shooting season, and return at night with a total bag of *one poor little hen quail!* Judge Alfred R. Page joined the writer in an effort to secure the support of that club for better quail protection on Long Island, but in vain.

Now, we hear of one Long Island club on which the caretaker traps the club's quail in December, pens them up and feeds them like sick babies all winter, then sets them free again in the spring, for fall shooting as usual.

Is not the quail hunter of Long Island a remarkable animal?

But the quail of Long Island now are thoroughly doomed. Part of the inhabitants are so mean, and the remainder are so indifferent, that the only thing remaining to be done is to write down the year in which Bob White becomes totally extinct, just as the heath hen did about forty years ago.

And we can stand it, if the Long Islanders can.

TWO GREAT CAMPAIGNS FOR WILD LIFE SANCTUARIES

IF any man shall acquire merit who makes two blades of grass grow where only one blade grew before, what shall we say of the magazine and its editors who make 6,468 wild life sanctuaries where not one existed before?

This is a story of wild-life-protection endeavor and achievement which is so delightful to contemplate that the joy of writing it compensates the writer for much one-sided toil in this field of labor.

In a particularly felicitous moment Mr. Thornton W. Burgess, gold medalist of the P. W. L. P. F., proposed to the editors of the *People's Home Journal* the idea of a contest in making game sanctuaries. At once Mr. Moody B. Gates, the editor, saw the point; and without loss of time a workable plan was wrought out, the executive machinery was constructed, the button pressed, and the wheels set in motion.

Stated in a few words, to suit the temper of these hurrying and impatient times, it was decided to ask men and women, boys and girls, to take blank pledges, go to owners of lands, point out the great necessity of providing protected sanctuaries for our harassed birds and quadrupeds, then ask for signatures pledging the signers to make of their property an all-wool, yard-wide haven of refuge, in which no killing of any wild thing save predatory and intolerable wild life destroyers would be permitted.

Prizes were offered for those who achieved the greatest success in obtaining signatures, and both the number of sanctuaries made and the total number of acres they contained, would carefully be taken into account.

Having an opportunity to be of some service, the Permanent Fund at once offered its gold medal for distinguished services to wild life to whomsoever scored the greatest achievement in this unique line of Christian endeavor. By suggestion and invitation, the Fund also offered as secondary prizes two or three copies of the 4-volume "American Natural History" (Fireside Edition), which was declared by Mr. Gates and Mr. Burgess to be well adapted to prize-giving purposes.

The *People's Home Journal* offered a long list of cash prizes, and there were no conditions whatever touching the status of competitors as "subscribers," or non-subscribers.

Each month for nine months of 1918, the most prominent and valuable advertising page of the *Journal* was wholly given up to propaganda regarding the new sanctuary-making industry. The slaughter of high-priced advertising space was terrific, and we doubted whether it could or would continue. We would not dare to compute the actual money loss to the magazine.

But the publishers and editors never flinched once. On the contrary, in the 1919 contest, several pages of thrilling cartoons by Harrison Cady were bought and paid for and printed monthly. As campaign propaganda for the stirring up of the ignorant and apathetic, they were literally immense. I wish it were possible to reduce and reproduce one of them without losing at least half the details, but it is not.

Of course the circulation of the *People's Home Journal* is very large, but it is no exaggeration to say that public interest in the sanctuary enterprise quite measured up to the size of the audience addressed. The contest of 1918 was a great success. The number of persons who worked in the campaign, and worked long and well, was really very large, and their success went far beyond *our* expectations.

The final results showed that

42 states profited by the campaign.

2,604 sanctuaries were created by written pledges of their owners, and

770,329 acres were dedicated to the preservation of all birds and quarupeds save noxious species.

In canvassing the returns of the contest, the judges (of whom the writer was one) found that four persons had each rendered an enormous amount of arduous personal services, and each had achieved a huge total of results. In order to meet this situation in a sportsmanlike and really adequate manner, the Trustees of the Permanent Fund immediately voted to award three additional gold medals, together with one cash prize of \$50 and three sets of the American Natural History. To several persons were awarded the Certificates of Valuable Service of the Protection Fund. The following is a full list of the awards:

PRIZES AWARDED BY THE WILD LIFE PROTECTION FUND
IN 1918

GOLD MEDALS

	Sanctuaries	Acres
REV. HAROLD E. MOUSE, Elkins, W. Va.....	128	65,268
REV. J. J. RESH, Freeland, Pa.....	87	72,932
MIRA HUNT, King, Montana.....	103	54,949
GEORGE L. L. DE ST. REMY, High Point, Sask., Canada	66	52,425

CASH PRIZE OF \$50

FLORA WHITFIELD, Raton, New Mexico.....	24	139,090
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AMERICAN NATURAL HISTORY

MARJORIE LLOYD, Antigo, Wisconsin.....	100	9,391
GEORGE STEVENS, Ogema, Wisconsin.....	66	7,204
CANTRALL SCHOOL, Cantrall, Ill.....	54	14,402

CERTIFICATES OF VALUABLE SERVICE

PEOPLE'S HOME JOURNAL, New York. For
the Great Enterprise!

GEORGE HORTON, Dwight, Ill.....	87	13,820
JOE B. WOODWARD, Brownfield, Texas.....	14	53,071
16-ACRE SCHOOL, Springfield, Mass.....	109	16,011

AWARDS GIVEN BY THE PEOPLE'S HOME JOURNAL

	Sanctuaries	Reward
HUGH HOLT, Kentucky.....	139	\$25.
REV. HAROLD E. MOUSE, West Virginia.....	128	10.
MIRA HUNT, Montana	103	5.
MARJORIE LLOYD, Wisconsin.....	100	3.
		Set of
GEORGE L. L. DE ST. REMY, Canada.....	93	Books
REV. J. J. RESH, Pennsylvania	87	Book of
GEORGE HORTON, Illinois	87	Bird Life
GEORGE STEVENS, Wisconsin.....	66	"
OGUREITA BREMER, Idaho.....	48	"
J. E. WOOD, West Virginia.....	44	"
MRS. R. WILCKEN, Utah.....	42	"
DONALD SIMPSON, Colorado.....	36	"
EARL MARIHART, Iowa.....	34	"
FORD WITHERSPOON, Texas.....	34	"
MEREE SPORLEDER, Illinois.....	31	"
EDWIN P. FLAUM, New York.....	30	"
MARION TAYLOR, Virginia.....	25	"
WALTER PRICE, West Virginia	25	"
ALICE M. DERRIN, Indiana.....	25	"

SPECIAL PEOPLE'S HOME JOURNAL AWARDS

FLORA WHITFIELD, New Mexico.....	24	\$10.
16-ACRE SCHOOL, Massachusetts.....	109	American Nat. Hist.

Were it possible to award a gold medal to a magazine or newspaper, the writer would have proposed a medal for the People's Home Journal, because no recognition of such services as it has rendered can be too great. But for magazine corporations, medals are hardly possible; so in lieu thereof the Trustees did award and deliver the Fund's certificate of Distinguished Services to Wild Life.

THE CAMPAIGN OF 1919.

No sooner was the work of 1918 disposed of and the awards distributed than Mr. Gates announced his intention to repeat the effort in 1919. Finding that the offer of the Fund's gold medal had proven to be the grand prize sought for by the contestants of 1918, the Trustees, by invitation, duplicated its offer of prizes for 1919. The same plan of signed pledges, and notices printed on linen and abundantly posted all over sanctuaries, was pursued, and again the contest became general.

The returns came in in December, 1919, and were fully as gratifying as before. Altogether the number of sanctuaries (3131) was well above the figure for 1918, and the total acreage dedicated was 50 per cent higher, reaching the admirable figure of 1,520,668 acres; and 42 states and Canada were represented.

Again the list of contestants and their results revealed workers under the highest mark who could not be offered anything less than the gold medal. Furthermore, the great efforts put forth by 18 other contestants, and the fine results achieved by them, called for something more permanent than the cash prizes that had been provided.

Accordingly, a total of 16 sets of the Natural History book were awarded by the Trustees of the Fund to persons who certainly deserved from the Fund some recognition of their gallant work.

The full list of prizes is as follows :

PRIZES AWARDED BY THE WILD LIFE PROTECTION FUND
IN 1919

GOLD MEDALS -

	Sanctuaries Acres	
MRS. PAMELA J. FRANCISCO, Ridgewood, N. J.	412	18,303
FRANK B. TICHENOR, Portland, Oregon.....	402	525,729
BERTHA J. MASTIN, Elkins, N. H.....	335	46,740

AMERICAN NATURAL HISTORY

BERTHA J. MASTIN, Elkins, N. H.....	335	46,740
MRS. M. J. TRAVIS, Vero, Florida.....	93	6,170
MRS. WALTER BARTON, Knoxville, Tenn.....	40	6,227
MISS S. G. SIMPSON, Brunswick, Maine.....	32	2,434
MRS. LAWRENCE DAVIDSON, Washington, Pa.	23	4,283
W. E. SMITH, South Chatham, Mass.....	23	177

Juvenile Class, under 18 years of age

FERNAND T. SPENCER, Lovelle, Mich.....	99	76,463
FRANCES MOON, San Angelo, Texas.....	50	323,801
ROSS DEAN, Frankford, Mo.....	49	14,062
EDITH J. SHUMWAY, Cyrus, Mass.....	44	4,749
STUART SHURLEY, Tioga, Texas.....	43	10,421
RICHARD NICOLLS, Glens Falls, N. Y.....	33	2,326
WILLIAM QUARLES, Panhandle, Texas.....	19	147,852

Schools

LYKENS TOWNSHIP CONSOLIDATED SCHOOL, Lykens, Ohio	72	7,320
EVERETT SCHOOL, Area, Illinois.....	17	2,335

AWARDS GIVEN BY THE PEOPLE'S HOME JOURNAL

Sanctuaries Reward

MRS. PAMELA J. FRANCISCO, New Jersey....	412	\$25.
MARTIN I. SMITH, New Jersey.....	128	\$25.
H. B. ADRIANCE, New York.....	129	25.
FRANK B. TICHENOR, Portland, Ore.....	402	20.
FERNAND T. SPENCER, Michigan.....	99	10.
GLY LIVINGSTON, Michigan	76	Set of Bur- gess Books

Finally, we publish herewith full statements of the results achieved in 1918 and 1919. No lover of birds needs to be told what this great array of fully protected sanctuaries means to our birds. The work of the People's Home Journal has been a conspicuous achievement for conservation. It was clear above the domain of advertising for profit, it cost the magazine heavily, and Mr. Moody B. Gates,

Mr. Payne, Mr. Burgess as the originator of the idea, and above all, the owners of the magazine are entitled to the salute from every friend of birds in North America.

COMPLETE LIST OF SANCTUARIES MADE IN
1918-1919

	1918		1919	
	Sanctuaries	Acres	Sanctuaries	Acres
Alabama	7	119	28	2,490
Arkansas	18	4,100	42	2,806
California	1	170	7	10,608
Colorado	38	31,396	27	28,393
Connecticut	3	1,850	39	3,334
Florida	3	60	101	6,286
Georgia	33	6,318	1	400
Idaho	22	8,927	3	5,480
Illinois	177	33,630	48	8,756
Indiana	104	12,783	26	3,051
Iowa	33	9,698	14	4,944
Kansas	9	1,660	3	12,640
Kentucky	149	39,410	3	313
Louisiana	1	20		
Maine	3	236	36	4,034
Maryland	59	4,635		
Massachusetts	102	13,217	101	9,673
Michigan	38	2,849	211	86,456
Minnesota	36	5,677	24	2,755
Mississippi	21	11,067	12	2,160
Missouri	22	4,866	73	16,498
Montana	113	66,771	34	23,820
Nebraska	27	17,364	22	7,802
Nevada			1	160
New Hampshire	2	500	336	48,762
New Jersey	12	83	270	13,174
New Mexico	24	139,090	16	61,060
New York	57	5,609	578	58,950
North Carolina	16	1,365	20	2,829
North Dakota	8	2,520	5	6,340
Ohio	68	5,692	85	18,504
Oklahoma	30	5,560	29	19,739
Oregon	5	342	409	816,524
Pennsylvania	82	73,208	144	19,534
Rhode Island			5	291

	1918		1919	
	Sanctuaries	Acres	Sanctuaries	Acres
Tennessee	26	3,498	72	9,975
Texas	69	81,035	145	488,370
Utah	40	12,964	5	3,260
Vermont	2	225	5	1,762
Virginia	43	5,182	50	4,196
Washington	8	643	12	1,295
West Virginia	234	82,145	10	803
Wisconsin	199	19,665	48	8,756
Wyoming	1	480	8	1,021
Canada	119	53,695	23	2,865
	<u>2,604</u>	<u>770,329</u>	<u>3,131</u>	<u>1,520,668</u>

SMOTHERING THE GAME SANCTUARY BILL IN CONGRESS

NEVER in the history of wild life legislation in America did any constructive measure go before the Congress of the United States with a greater array of organized official and popular support than did the Chamberlain-Hayden bill for sanctuaries in national forests. It was endorsed in writing by governors and other high state officers, judges, organizations of a dozen different kinds, newspapers, magazines, and a splendid array of representative private individuals. Moreover, a majority in both houses of Congress approved it, and stood ready to vote it into law.

Never was any great wild life measure proposed which meant so much, yet was destined to cost so little in public money.

And never before so far as we can recall, was any great constructive measure ever held up and blocked and hamstrung by one, or even two or three, short-sighted and balky senators as was done by Senator Reed Smoot of Utah, aided by Senator Thomas of Colorado. And Senator Smoot then was acting up as the "leader of the Republican minority" in the Senate!

The people of the 27 national forests states may censure all they please those two senators for the fact that the game sanctuary bill was not enacted into law in 1915, or subsequently. It was Mr. Smoot who threw four monkey wrenches into the machinery, and Mr. Thomas who threw one, in Mr. Smoot's absence. The Senate leader of the Republican minority in 1915 hamstrung the bill, and it was the Ancient Bogey of the Senate, yeleft "senatorial courtesy," that enabled him to accomplish it merely by saying, "Let that bill

go over!" Many are the sins for which that malevolent fetich is blamable.

We have previously pointed out, in the second volume of this Statement, that through the abused privilege of senatorial courtesy, five times on a one-man "Let-that-go-over" demand, the will of the best conservationists of America was set at naught in the house of its friends, and the Senate failed to come to a vote on the bill that a fine majority was ready and willing to pass!

The failure of the bill in the House was due wholly and solely to the impossibility of getting a vote upon it. It could come up only on a "calendar Wednesday," under the call of the Committee on Agriculture. Once, indeed, success seemed within our grasp. But our time was consumed by a long-winded, rambling and utterly tiresome colloquy on a charming bill for the regulation of hog-cholera, which held the floor until the hour for adjournment and killed our one chance for a vote. The democratic leaders were on the floor for the purpose of passing our bill.

In a long-winded circular letter issued in 1919, Representative Mondell stated that "I succeeded in scotching the Hornaday game sanctuary bill in the House"; but according to the facts of history Mr. Mondell did nothing of the kind. The leaders of the (Democratic) majority in the House waited patiently in their seats for two long hours for the bill to be called up, debated and passed; and but for hog cholera they would have delivered the goods.

As everyone knows, America's active entrance into the war changed everything, and rendered important game protective legislation utterly impossible. An order reached Congress from the President to the effect that no committee was to consider any measures but war measures, or subjects connected therewith. Even down to the present hour the war, the peace, the climbing sorrow of the league of nations, industrial unrest and the high cost of living have combined to continue the four-year-long impossibility to

secure a hearing and a vote. *And this for a bill that has been deliberately designed to increase the food supply of the nation!*

Inasmuch as our bill expired with the ending of the Sixty-fifth Congress, Senator Knute Nelson kindly consented to introduce the same bill in the present Congress. This was done on June 21, 1919, and the number of the bill now is S. 2182. It was by the advice of its former sponsor, Senator George E. Chamberlain, that the re-introduction was made by Senator Nelson.

The present Nelson bill agrees word for word with the Chamberlain bill, as the latter was very slightly amended and favorably reported to the Senate, on March 15, 1916, by the Committee on Forest Reservations and the Protection of Game. There exists no good reason for any amendments. All the splendid endorsements of the original plan stand good today for the Nelson bill, because the bill is unchanged and no support has in any manner been withdrawn.

During the present long session of Congress efforts to secure a vote will be continued. But as conditions stand at present in the Senate, the outlook is very discouraging. The trouble is not to secure "votes," but rather to achieve "A vote" by which the measure will be speeded on its way.

In order to show the attitude of the grazing interests of New Mexico toward the Nelson bill's proposal for game sanctuaries in national forests, the following preamble and resolutions adopted by the New Mexico Wool Growers' Association may fairly be presented as an exhibit.

We commend it to the attention of all persons who claim that the bill is regarded by the grazing interests with either suspicion or aversion.

RESOLUTION

WHEREAS, The New Mexico Wool Growers' Association three years ago urged upon Congress the necessity for the prompt passage of the National Game Refuge Bill for maintaining a permanent breeding stock of big game, and

WHEREAS, No such bill has as yet been passed, and in the meantime while the valuable big game of our State has continued to decrease, and

WHEREAS, Antelope and mountain sheep are now nearing the point of extermination, while deer and turkey are becoming alarmingly scarce in many localities, now therefore, be it

Resolved, That this Association in convention assembled again urge upon our Representative in Congress the need for the passage of the National Game Refuge Bill at the earliest moment, and be it further

Resolved, That if game refuges be not authorized by Congress prior to the assembling of the next State Legislature, that we urge the enactment of a three-year closed season on deer as an emergency relief measure, and be it further

Resolved, That we recommend that no further introduction of elk be made in the State of New Mexico, except on fenced private lands by the owners thereof.

THE NEW MEXICO WOOL GROWERS' ASSOCIATION

NEW STATE SANCTUARIES FOR GAME

IT never will be known just how much our campaign west of the Mississippi has influenced the making of the state game sanctuaries in national forests that have been made since 1915; nor does it matter in the least. The Great Thing is that many new sanctuaries *have been made!* While they are not wards of the federal government, and the nation is in no way responsible for their stocking, their maintenance or their success, the dilatory practices of Congress with the Chamberlain bill renders state game sanctuaries the next best thing to the ideal federal article.

If the various western state game commissions had importuned Congress for the federal plan, the result might have inured to the lasting benefit of the states concerned. The states of California, Wyoming, Utah and a few others may for a brief time congratulate themselves on being quite free from the "federal interference" that the Wyoming legislature of 1917 elected to despise, but when they come face to face with the business of stocking, maintenance and law enforcement, all without any federal aid save federal good will, things will begin to look differently from what they do now. The cooperation of the federal forest rangers will of course be made available on the usual terms, which of course will help out; but the real burdens of administration and maintenance will be upon the state governments concerned.

The following lists are from official sources:

NEW STATE GAME SANCTUARIES MADE SINCE 1915:*

Location.	Area.
<i>Arizona.</i>	
Pinal Mountain Sanctuary, Gila County.....	64,000 acres
Blue Range Sanctuary, Greenlee County.....	364,000 "

* Compiled from reports and correspondence with State Game Wardens and Commissioners in January and February, 1920.

Huachuca Sanctuary, Santa Cruz and Cochise.....	128,000	acres
Mt. Graham Sanctuary, Graham County.....	96,000	"
Catalina Mts. State Game Refuge, Pima County.....	64,000	"

Location.	Area.	Established.
<i>California.</i>		
Siskiyou County	8,960	1917
Modoc County	105,160	1917
Trinity County	64,000	1915
Shasta County	69,120	1917
Lassen County	69,120	1917
Tehama County	34,400	1917
Plumas County	31,000	1917
El Dorado County.....	64,000	1917
Amador County	57,000	1917
Fresno County	33,400	1917
Tulare and Kern Counties.....	37,600	1917
Mendocino and Lake Counties.....	37,000	1917
Santa Cruz County.....	3,400	1915
Santa Barbara County.....	81,680	1917-1918
Ventura County	125,400	1917
Los Angeles County.....	600,740	1915
Riverside County	69,000	1917
San Diego County.....	51,840	1917
Marin County	28,000	1917
Los Angeles and Kern Counties.....	23,040	1919
Santa Clara County.....	3,840	1919
Kern County	80,640	1919
<i>Colorado.</i>		
Colorado State Game Refuge, near Rocky Mountain National Park.		
<i>Idaho.</i>		
Pocatello Forest Reserve.....		1919
<i>Kansas.</i>		
Garden City	3,200	1917
<i>Louisiana.</i>		
Urania Forest Preserve (for 30 years).....	32,000	
<i>Montana.</i>		
Sun River Preserve.....	193,920	1917
Snowy Mountain Preserve.....	108,800	1917
Highwood National Forest.....	46,080	1917
Powder River Game Preserve.....	716,800	1917
Twin Butte Game Preserve.....	23,400	1917..
South Moccasin Mountain Preserve.....		1917
<i>North Dakota.</i>		
Various small game preserves.....	17,767	
<i>Oklahoma.</i>		
McCurtain County	16,000	acres

Oregon.

Deschutes Game Reservation.
 Steen's Mountain Game Reservation.
 Sturgeon Lake Game Reservation.
 Grass Mountain Reservation.

South Dakota.

Wall Lake Bird Refuge, in Minnehaha
 County 960 acres 1917

Utah.

Cache State Game Preserve.....	12 townships
Heaston State Game Preserve.....	14½ "
Strawberry State Game Preserve.....	7½ "
Fish Lake State Game Preserve.....	27 "
Dixie State Game Preserve.....	17 "

*Washington.**State Game Preserves.*

Lake Washington, King County.....	3,000 acres
Pierce County Game Preserve.....	285,320 "
Okanogan County Game Preserve.....	37,760 "

County Preserves.

Grays Harbor	11,520 "
Lewis	40,000 "
San Juan	2,400 "
Snohomish	49,480 "
Chelan	34,560 "
Columbia	16,000 "
Garfield	15,400 "
Kittitas	7,000 "
Pend Oreille	2,540 "
Spokane	3,840 "
Whitman	6,779 "
Stevens	641 "

Wyoming.

Hoodoo State Game Preserve.
 Carter Mountain State Game Preserve.
 Days River State Game Preserve.
 Wind River State Game Preserve.
 Careyhurst Game Preserve.
 Bridger State Game Preserve.
 Splitrock Special State Game Preserve.

MISSOURI'S ATTACK, AND FINAL DEFEAT, ON THE MIGRATORY BIRD TREATY

A STRANGER to the Interstate Sportsmen's Protective Association of Missouri would suppose that men who have been beaten several times in their assaults on an American basic principle of wild life protection would thereby learn a little wisdom on the subject of having "enough." He also might suppose that when an international treaty has been negotiated by act of Congress with a neighbor nation, solemnly agreed to, ratified and entered as law in the United States Statutes at Large, all responsible citizens would have for it a measure of respect.

But not so with the spring-shooting fanatics of "Missoury," the headquarters of the Interstate Sportsmen's Protective Association.

With the passage by Congress of the treaty enabling act, the malcontent spring shooters of Missouri lost no time in attacking its foundations. Their last forlorn hope for the restoration of their beloved pastime of shooting wild fowl on their way to their nesting grounds, lay in the desperate chance that the Supreme Court of the United States could be relied upon to declare that the Treaty is unconstitutional, null and void.

On February 25, 1919, at Bean Lake, Platte County, Missouri, George L. Samples and W. C. DeLapp were arrested by federal game wardens, and charged before United States Commissioner Duncan at St. Joseph, with hunting, killing and possessing certain migratory wild fowl after the close of the federal open season.

On March 4, 1919, the Federal Grand Jury at St. Joseph indicted both men on all three counts. On March 24 the

attorneys of the indicted men filed demurrers for each defendant, claiming that the migratory bird treaty violates the Tenth Amendment to the Constitution of the United States, that while within Missouri "the wild fowl and game is the absolute property of the State," and that "the subject of the Convention [*i. e.*, the Treaty] is one over which the several states have exclusive jurisdiction."

On April 21 and 22, 1919, an application brought by the State of Missouri for an injunction to prevent United States game wardens from arresting violators of the Federal game laws in Missouri was argued before Judge A. S. Van Valkenburgh in the U. S. District Court at Kansas City, Mo. The brief submitted by U. S. Attorney Francis M. Wilson was a most able and convincing document. It struck a new and very human note in the legal defense of wild life, and constitutes a powerful argument.

On July 2, 1919, Judge Van Valkenburgh rendered a sweeping decision, which completely upheld the constitutionality of the Treaty act, whereupon the Missourians appealed the case to the Supreme Court of the United States.

In addition to the very gratifying decision of Judge Van Valkenburgh, another decision of similar import is now on record. On June 4, 1919, Judge Jacob Trieber, of the U. S. Court for the Eastern District of Arkansas pronounced the Bird Treaty constitutional.

Another test case, of a very amusing character, came before the United States Supreme Court. It concerns no less a personage than the Attorney-General of the state of Missouri (always Missouri!) and a Federal Game Warden, backed by the United States of America.

A short time after Samples and DeLapp were indicted, Attorney-General Frank W. McAllister so far forgot his oath of office, his duties as a citizen and his own future as to go out duck-shooting on the grounds of a Missouri club that

believed in violating the migratory bird law. Federal Game Warden R. P. Holland heard the news, watched the killing of a goodly number of ducks, and then cruelly but firmly placed under arrest Missouri's chief defender of the Law.

By a hard-hearted Judge, Attorney-General McAllister was held for trial and compelled to give a bail bond in the sum of \$1,000. In due course the Attorney-General was tried, and swiftly convicted; whereupon a defense subscription was collected, and the case was appealed to the U. S. Supreme Court. The brief filed with the Court by Mr. Louis Marshall, of New York, is everything that could be desired in such a document. Rather strange to say, this case was chosen by the Supreme Court as the basis of its decision.

Monday, April 19, 1920, is a date to be long remembered by the bird lovers of all-America. On that date the Supreme Court of the United States announced its decision in the case of *The State of Missouri vs. R. P. Holland, Federal Game Warden*, defeating Missouri, and establishing forever the entire constitutionality of the migratory bird treaty. It lays in its grave anew the resurrected fetich of State Rights which like an evil spirit has been haunting the halls of Congress for five years, and disturbing the dreams of a very few western Senators.

Incidentally, Attorney-General Frank McAllister, J. R. Reynolds and E. S. Vilmoare of Kansas City, Mo., and M. S. Bodine and Clarence Evans, who were arrested by federal officers at Nevada, Mo., on March 7, 1919, charged with killing ducks in violation of the treaty regulations, now have nothing to do save to walk up to the captain's office and settle.

DECISION OF THE SUPREME COURT OF THE
UNITED STATES ON THE FEDERAL
MIGRATORY BIRD TREATY

No. 609.—OCTOBER TERM, 1919.

The State of Missouri, Appellant, } Appeal from the District
 } Court of the United
 } States for the Western
Ray P. Holland, United States }
Game Warden. } District of Missouri.

[April 19, 1920.]

Mr. Justice HOLMES delivered the opinion of the Court.

This is a bill in equity brought by the State of Missouri to prevent a game warden of the United States from attempting to enforce the Migratory Bird Treaty Act of July 3, 1918, c. 128, 40 Stat. 755, and the regulations made by the Secretary of Agriculture in pursuance of the same. The ground of the bill is that the statute is an unconstitutional interference with the rights reserved to the States by the Tenth Amendment, and that the acts of the defendant done and threatened under that authority invade the sovereign right of the State and contravene its will manifested in statutes. The State also alleges a pecuniary interest, as owner of the wild birds within its borders and otherwise, admitted by the Government to be sufficient, but it is enough that the bill is a reasonable and proper means to assert the alleged quasi sovereign rights of a State. *Kansas v. Colorado*, 185 U. S. 125, 142. *Georgia v. Tennessee Copper Co.*, 206 U. S. 230, 237. *Marshall Dental Manufacturing Co. v. Iowa*, 226 U. S. 460, 462. A motion to dismiss was sustained by the District Court on the ground that the Act of Congress is constitutional. 258 Fed. Rep. 479. *Acc. United States v. Thompson*, 258 Fed. Rep. 257; *United States v. Rockefeller*, 260 Fed. Rep. 346. The State appeals.

On December 8, 1916, a treaty between the United States and Great Britain was proclaimed by the President. It recited that many species of birds in their annual migrations traversed many parts of the United States and of

Canada, that they were of great value as a source of food and in destroying insects injurious to vegetation, but were in danger of extermination through lack of adequate protection. It therefore provided for specified close seasons and protection in other forms, and agreed that the two powers would take or propose to their lawmaking bodies the necessary measures for carrying the treaty out. 39 Stat. 1702. The above mentioned act of July 3, 1918, entitled an act to give effect to the convention, prohibited the killing, capturing or selling any of the migratory birds included in the terms of the treaty except as permitted by regulations compatible with those terms, to be made by the Secretary of Agriculture. Regulations were proclaimed on July 31, and October 25, 1918. 40 Stat. 1812; 1863. It is unnecessary to go into any details, because, as we have said, the question raised is the general one whether the treaty and statute are void as an interference with the rights reserved to the States.

To answer this question it is not enough to refer to the Tenth Amendment, reserving the powers not delegated to the United States, because by Article II, Section 2, the power to make treaties is delegated expressly, and by Article VI treaties made under the authority of the United States, along with the Constitution and laws of the United States made in pursuance thereof, are declared the supreme law of the land. If the treaty is valid there can be no dispute about the validity of the statute under Article I, Section 8, as a necessary and proper means to execute the powers of the Government. The language of the Constitution as to the supremacy of treaties being general, the question before us is narrowed to an inquiry into the ground upon which the present supposed exception is placed.

It is said that a treaty cannot be valid if it infringes the Constitution, that there are limits, therefore, to the treaty-making power, and that one such limit is that what an act of Congress could not do unaided, in derogation of the powers reserved to the States, a treaty cannot do. An earlier act of Congress that attempted by itself and not in pursuance of a treaty to regulate the killing of migratory birds within the States had been held bad in the District Court. *United States v. Shauver*, 214 Fed. Rep. 154. *United States v. McSullagh*, 221 Fed. Rep. 285. Those decisions were supported by arguments that migratory birds were owned by the States in their sovereign capacity for the benefit of their

people, and that under cases like *Geer v. Connecticut*, 161 U. S. 19, this control was one that Congress had no power to displace. The same argument is supposed to apply now with equal force.

Whether the two cases cited were decided rightly or not they cannot be accepted as a test of the treaty power. Acts of Congress are the supreme law of the land only when made in pursuance of the Constitution, while treaties are declared to be so when made under the authority of the United States. It is open to question whether the authority of the United States means more than the formal acts prescribed to make the convention. We do not mean to imply that there are no qualifications to the treaty-making power; but they must be ascertained in a different way. It is obvious that there may be matters of the sharpest exigency for the national well being that an act of Congress could not deal with but that a treaty followed by such an act could, and it is not lightly to be assumed that, in matters requiring national action, 'a power which must belong to and somewhere reside in every civilized government' is not to be found. *Andrews v. Andrews*, 188 U. S. 14, 33. What was said in that case was regard to the powers of the States applies with equal force to the powers of the nation in cases where the States individually are incompetent to act. We are not yet discussing the particular case before us but only are considering the validity of the test proposed. With regard to that we may add that when we are dealing with words that also are a constituent act, like the Constitution of the United States, we must realize that they have called into life a being the development of which could not have been foreseen completely by the most gifted of its begetters. It was enough for them to realize or to hope that they had created an organism; it has taken a century and has cost their successors much sweat and blood to prove that they created a nation. The case before us must be considered in the light of our whole experience and not merely in that of what was said a hundred years ago. The treaty in question does not contravene any prohibitory words to be found in the Constitution. The only question is whether it is forbidden by some invisible radiation from the general terms of the Tenth Amendment. We must consider what this country has become in deciding what the amendment has reserved.

The State as we have intimated founds its claim of exclusive authority upon an assertion of title to migratory

birds, an assertion that is embodied in statute. No doubt it is true that as between a State and its inhabitants the State may regulate the killing and sale of such birds, but it does not follow that its authority is exclusive of paramount powers. To put the claim of the State upon title is to lean upon a slender reed. Wild birds are not in the possession of anyone; and possession is the beginning of ownership. The whole foundation of the State's rights is the presence within their jurisdiction of birds that yesterday had not arrived, tomorrow may be in another State and in a week a thousand miles away. If we are to be accurate we cannot put the case of the State upon higher ground than that the treaty deals with creatures that for the moment are within the state borders, that it must be carried out by officers of the United States within the same territory, and that but for the treaty the State would be free to regulate this subject itself.

As most of the laws of the United States are carried out within the States and as many of them deal with matters which in the silence of such laws the State might regulate, such general grounds are not enough to support Missouri's claim. Valid treaties of course "are as binding within the territorial limits of the States as they are effective throughout the dominion of the United States." *Baldwin v. Franks*, 120 U. S. 678, 683. No doubt the great body of private relations usually fall within the control of the State, but a treaty may override its power. We do not have to invoke the later developments of constitutional law for this proposition; it was recognized as early as *Hopkins v. Bell*, 3 Cranch. 454, with regard to statutes of limitation, and even earlier, as to confiscation, in *Ware v. Hylton*, 3 Dall. 199. It was assumed by Chief Justice Marshall with regard to the escheat of land to the State in *Chirac v. Chirac*, 2 Wheaton, 259, 275. *Hauenstein v. Lynham*, 100 U. S. 483. *Geoffroy v. Riggs*, 133 U. S. 258. *Blythe v. Hinckley*, 180 U. S. 333, 340. So as to a limited jurisdiction of foreign consuls within a State. *Wildenhuis' Case*, 120 U. S. 1. See *Ross v. McIntyre*, 140 U. S. 453. Further illustration seems unnecessary, and it only remains to consider the application of establishment rules to the present case.

Here a national interest of very nearly the first magnitude is involved. It can be protected only by national action in concert with that of another power. The subject matter is only transitorily within the State and has no permanent

habitat therein. But for the treaty and the statute there soon might be no birds for any powers to deal with. We see nothing in the Constitution that compels the Government to sit by while a food supply is cut off and the protectors of our forests and our crops are destroyed. It is not sufficient to rely upon the States. The reliance is vain, and were it otherwise, the question is whether the United States is forbidden to act. We are of opinion that the treaty and statute must be upheld. *Cary v. South Dakota*, 250 U. S. 118.

Decree affirmed.

Mr. Justice VAN DEVANTER and Mr. Justice PITNEY dissent.

PROMOTION OF BIRD PROTECTION IN FRANCE

THE enemies of France may kill Frenchmen, but they can not drive them into panic. The French nation has shown that it knows no such thing as the hysteria of fear. The steadiness of Paris during the fiercest trials of the war was marvelous.

Intelligent men, now very much in the minority, realized what the sweep of Kluck, the Hun rush across the Marne and the terrific assaults on Verdun, all with Paris as the one sinister objective, meant to the people of Paris and to France. The cruel bombardment of Paris with a 60-mile cannon seemed like the last straw; and finally the Hun spear-head at Chateau-Thierry was only what was to have been expected.

But throughout all that terrible period, wherein all the able-bodied men of France were in uniform or in the factories, France never lost her equipoise. The elderly men who remained at home to keep the nation's fires burning never faltered or despaired. I wonder whether elderly Americans could for so long a time and under such fiercely trying circumstances keep undiscouraged, keep working at their tasks, and refrain from whining!

The regular arrival at our desk of well-printed and finely illustrated copies of "La Nature," of the "Bulletin of the Societe Nationale d'Acclimatation" and the "Bulletin of the French National League for the Protection of Birds," were constant causes for wonder and admiration. That the non-combatant men of Paris, all of them long past the fighting age, could find either time, inclination or money to go on with their scientific work, and keep up their publications

quite as usual, seemed marvelous; but there was no room for incredulity. There, in their constant blue covers, lay the ocular proof that the courage of France was imperishable.

Could American zoologists under similar circumstances manifest the same degree of nerve and persistence? If a million armed and bloodthirsty Huns were at Peekskill, and shells were murdering people en masse in the churches of Manhattan, could we go on publishing Bulletins on zoology and bird protection?

Finally there came to our desk a new Bulletin of the "Ligue pour la Protection des Oiseaux," that literally capped the climax. Outwardly it looked as calm and debonair as usual; but within—it was reduced to eight pages, printed on coarse paper. *And at that very time the 60-mile gun of the Huns was throwing explosive shells into the suburbs of Paris!*

The courage of our bird-protecting colleagues in Paris was beyond the reach of mere words of praise. It was no longer possible to send any more letters of admiration and encouragement, couched in wordy platitudes.

Although it is often a risky proceeding to send assistance where assistance has not been asked, there was but one thing to do. We sent a modest sum of this Fund's campaign money to the League for the Protection of Birds, as a subscription toward the cost of its publications. We sent another to the parent organization—the Societe Nationale d'Acclimatation, "to be expended in measures for the protection and increase of the wild life of France and her colonies."

Those subscriptions were received in the spirit in which they were sent. The gratitude so generously expressed, both by the organization and by individual officers and members, left the door of the Future wide open. Our French co-workers in the field of bird protection were willing to accept aid from without at the time when outside help really is needed.

Forthwith the active bird protectionists of France began to plan campaigns for the immediate future. At this moment there rises into view the names of the following gentlemen of the Ligue and the Societe d'Acclimatation:

Mr. Edmond Perrier, President S. d'A. de France.

Mr. Louis Ternier, President of the Ligue.

Mr. Maurice Loyer, General Secretary S. d'A.

Mr. A. Chappelier, Secretary of the Ligue.

Mr. Charles Debreuil, Home Secretary S. d'A.

Mr. Jean Delacour, Foreign Secretary S. d'A. and editor of "L'Oiseau."

Mr. Pierre Amedee Pichot, Honorary Member of the Council.

Mr. A. Menegaux, Vice-President of the Ligue, author of handbooks on bird protection.

Mr. Andre Godard, author of "Les Oiseaux Necessaires," "La Classification des Oiseaux," "Les Jardins Volieres."

The plans finally wrought out by the League for the Protection of Birds embraced the following features, directed most particularly to the protection and increase of the birds most beneficial to French agriculture:

General propaganda, by new printed matter.

General propaganda, by lectures and the forming of new organizations.

The offer of annual prizes for distinguished services to birds.

The enlistment of active support by the national government and by other governments.

The creation of large numbers of wild life sanctuaries.

It would be difficult to map out a series of campaigns more comprehensive than those. The small sum furnished the Ligue pour la Protection des Oiseaux in 1918 has been devoted to the increase of its publications, and to the founding of a medal to be awarded annually, in gold, silver and bronze, for bestowal upon those who have rendered con-

spicuous services in bird protection. The officers of the League believe that the medal will arouse throughout France new interest in the work it is intended to promote.

The signing of the armistice and the coming of practical peace at once gave new impetus to bird protection in France. The League's desires and plans were carefully considered by the Trustees of the Permanent Wild Life Protection Fund, and unreservedly endorsed. In view of all circumstances it seemed highly desirable that the Fund should forthwith pledge in its aid a substantial annual subscription (\$500) payable for at least three years.

It was recognized, however, that under the strict letter of the terms of the subscription agreement that produced our endowment fund, the income of the fund was expendable only on the continent of North America. In order to go to the highest authority it was decided to put before each founder and subscriber a statement of the new conditions brought about by the war and ask the question: "Are you in favor of extending the scope of the Fund's activities to a reasonable extent to other countries than North America, and particularly to the devastated regions of the Allies in Europe?"

A majority of the Founders and Subscribers promptly replied, and all votes save four were in favor of making the work of the Fund international in its scope. Many of the original givers are enthusiastic in their approval, and distinctly encouraged the idea.

Our way being thus made clear, and all obstacles removed, the Trustees immediately forwarded \$500 (Fr. 4050) to the Treasurer of the Ligue pour la Protection des Oiseaux, with the pledge of similar sums in 1920 and 1921. No conditions were named.

Last in chronological sequence but not in importance, the New York Zoological Society subscribed and forwarded from the "Stokes Bird Fund" the sum of \$500 especially for

the promotion of the wild life publications of the Ligue Francaise pour la Protection des Oiseaux. This was rendered necessary by the enormous cost in Paris of print paper and printing, and the threatened cessation of the important bird protection propaganda on that account.

While it is not seemly to be unduly complacent over the placing of small sums of money for the promotion of great causes, we can not suppress a feeling of secret satisfaction over our having had sufficient animal intelligence to perceive a great opportunity to render service to the cause of bird protection in a place and time wherein we know that outside aid is needed. If anywhere on this distracted earth the aid of the crop-protecting birds is sorely needed at this time, it is needed in France and Belgium today. The bird-protectors of France, like the gallant soldiers of France during the terrible struggle for the life of the French nation, need the assurance that *there are outsiders who care for the birds and the crops of France!* Words of praise are excellent things to give and to receive; *but in protecting crops they kill no insects!*

He, or she, who would aid the crop-growers of France and Belgium in the decrease of insects and the increase of food, may well bestow gifts of money within the campaign funds of French and Belgian and Italian bird-protecting organizations. The writer feels that, beyond all comparison, the subscriptions made to bird protection in France will be more far-reaching in their work for the good of humanity at large than any other expenditures that have been made during the war by this Fund save in the promotion of our migratory bird treaty and in wild life sanctuary work.

In France, bird protection work already is well organized. Before the war it was in excellent shape. The campaign pamphlets of Monsieur Menegaux and M. Andre Godard were most excellent documents and their wide distribution is the best proof of French activities in that field.

In Belgium and in Italy it remains for bird protection work to be organized, and the wheels set in motion. No one should doubt the need for the most careful fostering of the insect-destroying and crop and forest protecting birds of those countries. We will make no secret of the fact that we are now endeavoring to promote the creation of new bird protecting organizations in those countries, and we shall pursue that object with as much diligence as we are able to exert.

THE PRESENT STATUS OF THE PLUMAGE TRADE IN THE DUTCH EAST INDIES

The visit to New York in March, 1918, of Mr. P. G. van Tienhoven, en route from the Far East to his home in Holland, afforded a rare opportunity to obtain fresh and first-hand information regarding the plumage trade in the Malay Archipelago. Mr. van Tienhoven is a member of the Committee appointed by the Royal Zoological Society of Amsterdam to take up with the Netherlands government the whole question of an embargo on plume-gathering in the Dutch Possessions of the Far East, and the matter has been diligently pursued.

The results actually achieved up to date, and the prospects of further results in the future are clearly set forth in the following communication, prepared by Mr. van Tienhoven, for this Statement. Mr. van Tienhoven's map is also reproduced. Its black-line enclosures show the "paradise" bird sanctuaries described in the text.

W. T. H.

VEREENIGING TOT BEHOUD VAN
NATURMONUMENTEN
IN NEDERLAND

AMSTERDAM, April 24th, 1918.

DEAR DR. HORNADAY:

In pleasant remembrance of our meeting in New York, I now take pleasure in giving you a statement of conditions as I found them on my trip through the East Indies, concerning the shooting of and the trade in Paradise birds, and also the suggestions made by me to our Government.

In the first place, I ascertained that our Colonial Government is quite aware of the necessity for the prevention of bird destruction; and that during the last few years several important measures have been taken to preserve the different kinds. Drastic measures adopted *at once* would cause serious economic difficulties. The wild tribes in New Guinea (the Papuans), in their present primitive state of development, to a large extent earn their living through the



SAVING THE BIRDS OF PARADISE

Map of a small portion of the eastern half of the Dutch East Indies, showing the bird sanctuaries specially set aside to preserve the Birds of Paradise.

By P. G. van Tienhoven.

plumage trade, and a general prohibition of shooting would suddenly deprive the aborigines of one of the most important sources of their subsistence. Therefore the Government, although complete preservation of the birds is aimed at, must go step by step in the direction of prohibition, and is endeavoring to lead the natives gradually into other occupations for the earning of their livelihood.

Moreover, a great number of well-informed men are convinced that the *Paradisida papuana*—by far the most important bird of the plumage trade—is not at all on the verge of extermination, and still is to be found in the immense country of New Guinea in fairly abundant numbers.

The measures already adopted by our Colonial Government for the preservation of the wild birds of our East Indian possessions are as follows:

1. The creation of reservations, or sanctuaries, especially for the paradise birds, where no shooting is allowed. These are located as follows: (See black-line enclosures on map.)

- a. In the Schouten Islands and the group of the Japen Islands (Waigeoe, etc.).
- b. In the isles belonging to the Radja Ampat group.
- c. In two parts of New Guinea; one at the northwest coast of Geelvink Bay, near the mouth of the Moebrabi River, and the other between the Wapoga and Mamberano River, indicated in ink on the enclosed map.

2. In forbidding, for an indefinite time, or for some years, the shooting of the rare species, such as the rubra, apoda, etc.

3. In restricting the yearly time of shooting. In 1918 the time for shooting is open from April to October, whilst the shooting of the gouras or crowned pigeons—which, in my opinion, are more in danger than the paradise birds—is limited to four months, from April to August.

4. Finally, every gun must have a license; and the intention of the Government is to increase the number of allowed licenses and to increase the price of each.

When I returned to Java from my trip through the Moluccas I had the pleasure of talking over with our Government

the matter of protection, and I made the suggestion to include with the absolutely protected birds all those which are sold for a low price, notably the *Seleucides alba*, *Lophor-
ma atra*, *Epimachus magnus* and *magnificus*, *Parotia sei-
pennis*, etc. This suggestion will be taken into serious con-
sideration.

Faithfully yours,

P. G. VAN TIENHOVEN.

RESULTS OF THE AMERICAN PLUMAGE LAW

THE prohibitory results of the American and Canadian tariff laws (1913) for the exclusion of all wild-bird plumage intended for commercial users, are everything that their sponsors ever hoped they would be. The disappearance of wild feathers from women's hats is wholly due to a law that is 99½ per cent effective. In fact, we believe that if anyone had time to make systematic observations and calculate the result, it would be found that only one-tenth of one per cent of feminine hats now carry forbidden feathers.

Before the American law went into effect, on October 4, 1913, a few dealers imported all the "paradise," "goura" and "numidia" that their cash would pay for. At the same time, many other dealers elected to cease carrying forbidden feathers. Today this honorable group is represented by the New York Millinery Chamber of Commerce; and recently it has recorded very decided protests against the further sale by the trade of banned plumage. They object to the odium that is being brought upon a respectable trade by a few irreconcilables who are determined to sell "paradise" as long as one can be obtained.

Of course it is to be understood that the stocks on hand when our law to prohibit imports went into effect, were not confiscated, nor otherwise rendered unsalable. Even the most drastic course could not have brought back to life the dead birds represented in the storage boxes of the millinery trade. Those foreign goods remained salable, and a very few are on sale today, at prices so high that a few men take great risks in trying to work the smuggling game.

But showy feathers are difficult to smuggle, and realize upon afterward. Any thief can steal property from other

people, but now it takes a supreme genius to dispose of it afterward by sale without getting caught.

The vigilance of the U. S. Treasury Department in stopping importations of forbidden plumage, and in seizing smuggled feathers, is deserving of high praise.

The law was drawn as a barrier net with meshes so fine that not one wild feather could get through it; and it has turned out well. The only recourse of the lawless is smuggling. Several parties now can testify that so far as economy is concerned, the smuggling of bird feathers is a highly expensive pastime. For example, instead of getting large profits, Abraham Kallman, of Laredo, Texas, got six months imprisonment, a fine of \$2,500 and a loss of about \$50,000, all on the wrong side of his "paradise" account. He bought the 527 skins (that he lost) in London, of Benjamin, Williams & Co.

Even at this time there is possibly a trace of illegal egret killing and aigrette smuggling, practiced with great labor and travail, at Fort Myers, Florida, and possibly at a few other points infested by northern newly-rich visitors. The smart set of the northern cities has ceased to care for aigrettes, or to buy them, even when offered the chance; but the newly-rich-from-the-war buy all sorts of foolish things, and with them an occasional forbidden, and therefore romantic, aigrette. In New York City the wearing of aigrettes is said to be confined to amateur actresses, and ladies' maids who get cast-off finery for nothing.

But the absence of wild birds plumage in New York is phenomenally complete. One can watch for days together without seeing one feather from a wild bird. Even the domestic and hand-reared feathers have to a great extent vanished with the wild ones.

The strangest manifestation of all is the desire of the members of the legitimate feather trade that the sale of forbidden plumage should cease altogether, and no longer

bring odium upon honest men. When the tariff law went into effect in 1913 the feather importers of New York promptly accepted the situation, and elected to be good citizens by living up to both the letter and the spirit of the law. Then the men who had fought us hardest while the feather war was on, cordially and without rancor invited us to help them get everything in line for the full observance of the law without any unjust or unnecessary hardships to them. We accepted the novel role of intermediary between the U. S. Treasury Department and the millinery trade, and the results seem to have been rather satisfactory to both sides.

Today the U. S. Millinery Chamber of Commerce is strongly opposed to the sale by the government of any seized plumage, and on two occasions there has been witnessed the novel spectacle of the former importers of feathers being joined by the bird defenders in appearing in Washington to argue against certain "requested" sales of seized "paradise." On both occasions the opposition made good, and the Treasury Department refused to permit the sales that had been urged upon it by parties who wished to buy the plumage "for exportation."

The United States Government, the Millinery Chamber of Commerce and the bird protectors are working together in perfect harmony; and the Chamber of Commerce recently has issued to all its members a circular call, strongly exhorting them to drop the sale of remnant forbidden plumage, for the reputation of the trade.

THE CASE OF THE ALASKAN BROWN BEAR

For about three years a few people in Alaska have been demanding from the Department of Agriculture the right to hunt Alaskan brown bears all the year round for their pelts, on the amazing ground that the bears seriously interfere with the stock-raising industries of Alaska, and later on the further ground that the bears are a menace and a positive danger to the residents of Alaska. A few prominent American mammalogists, headed by Dr. C. Hart Merriam, have opposed the proposed wholesale slaughter and the extermination of the most interesting carnivorous animal in North America, and the *status quo ante bellum* has been maintained.

Last spring a citizen of Alaska and an ex-soldier named Clarence Thompson took his rifle and went out bear hunting on Chicagof Island. We are assured that Mr. Thompson went bear hunting by the fact that no other game killable with a rifle was in season at the time of his sad misadventure. Mr. Thompson found a bear, fired at it twice, failed to kill it, and the bear injured him so terribly that after a most harrowing experience he died in the Chicagof hospital a few days after the encounter.

Promptly seeking someone on whom to lay the blame for this tragedy, the editor of the *Alaska Daily Empire* published a long and violent editorial which from beginning to end virtually held Mr. William T. Hornaday responsible for the death of Mr. Thompson. This was based on a supposition of pernicious activities in favor of the Alaskan brown bear by the accused party, whose whole burden of offense is to be found in one page of statement and protest in a pamphlet published by the Permanent Wild Life Pro-

tection Fund on February 15, 1920, as Bulletin No. 6, in an article entitled "The Free Killing of Alaskan Brown Bears."

Just why the editor of the *Daily Empire* should elect to give the author of the pamphlet ten times more credit than he deserves for the protection that the Alaskan brown bear has received up to date does not appear, and therefore apologies are due to Dr. C. Hart Merriam, the real leader of the opposition to Alaskan brown bear extermination.

The article in the *Daily Empire* applies various opprobrious epithets to the Campaigning Trustee of the Permanent Wild Life Protection Fund, who has noted with interest the fact that he has not yet been called a horse thief or a murderer by direct attack.

To the editor of the *Empire* the following letter was forwarded, calling attention to the shortcomings of the people of Alaska in living up to the legal privileges in the abatement of the alleged brown bear evil:

NEW YORK, May 14, 1920.

THE EDITOR OF THE *Alaska Daily Empire*,
Juneau, Alaska.

DEAR SIR: My attention has been called to the article in your newspaper of April 26, giving the distressing details of the death of Clarence Thompson from injuries received from a bear while out hunting. I deeply regret the death of Mr. Thompson, and also his failure to kill the bear before it attacked him.

Ordinarily I do not answer newspaper attacks that are made upon me personally, because I believe that the public has little interest in personal controversies. I will, therefore, pass by in silence the very harsh and quite uncalled for epithets which you so freely applied to me throughout your article. I will not, however, permit the principle involved to go undefended.

Whenever an unfortunate accident occurs it is one of the frailties of human nature that no matter whether any second party is to blame or not efforts immediately are made to place the "blame" upon someone, no matter how remote

or farfetched the effort may be. In this case you go to ridiculous extremes to place upon conservationists in general, and the undersigned in particular, a burden of blame for the fact that Mr. Thompson went out hunting, failed to kill the bear that he found, and was unfortunately killed by the animal under particularly distressing circumstances.

Just *why* I should be blamed for Mr. Thompson's unsuccessful hunting, and his fatally poor shooting, is hard to account for under the rules of common sense; but that fact does not seem to trouble you in the least. Mr. Thompson was armed according to his own best judgment, and he was out for bear. If his shooting had been good there would have been one brown bear less to trouble the people of Alaska. No law stood in the way of Mr. Thompson in his hunting efforts, and no conservationist was to blame because Mr. Thompson failed to kill the bear.

No conservationist of my acquaintance believes for one moment that a man should not have all possible rights to defend himself against dangerous wild beasts when he is either attacked or threatened with attack. The law permits every resident of Alaska, and also every visitor who wishes to take out a hunting license, to kill three brown bears every year. This being the case, I ask you to tell me *why* under the sun there are too many brown bears living in Alaska to suit the people of Alaska? The brown and grizzly bears of Alaska are not immune. Inasmuch as the brown bears and grizzly bears of Alaska are so obnoxious to the people of that country, why do not the men of Alaska get their guns, go after the bears and kill three each per year until the alleged surplus is reduced. Surely there are a thousand men in Alaska who are able to hunt bears with safety to themselves; and if that is the case, the legal bag limit would permit the killing of 3,000 bears every year until the bears are exterminated.

You *have* your remedy. *Why do you not apply it?* What is the matter with the men of Alaska that they do not go out, according to law, kill their three bears each, and entirely eliminate the brown bear question?

But no! The men of Alaska demand the right to kill bears on a strictly *commercial* basis! It appears to be the money that is wanted, rather than safety from bears for the public. The law gives all Alaskans bear-killing rights which the most of them do not seem to exercise; and this

being the case, the demand for commercial extermination does not appeal to eastern men who are interested in seeing that the wild life of North America gets a square deal. You, Mr. Editor, being so much wrought up by the death of Mr. Thompson, should be the first man to take your gun and go out and kill your three bears. Already the law gives you a glorious opportunity. Go to it and stop black-guarding.

Yours very truly,

W. T. HORNADAY.



*At a Meeting of the Council of the
Royal Society for the Protection of Birds,
held on October 19th 1917, at the Guildhall, Westminster.*

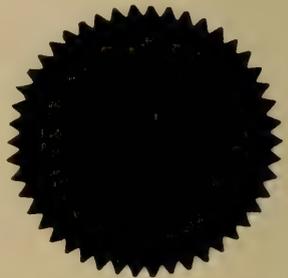
Resolved: That the Gold Medal of the Society be
awarded to **Dr. William T. Hornaday,**
Director of the New York Zoological Park, President
United States Junior Naval Reserve, Vice-President
United States Army League, in recognition of the
great services rendered by him to the cause of Bird-
Protection, especially in promoting the International
Treaty between Canada and the United States of
America for the Protection of Migratory Birds;
and That the best thanks of the Council be tendered
to him for the ability and untiring energy with which
he led the movement in the United States, together with
their congratulations on its successful issue.

Madge Sharpe

Chairman of Council.

Frank E. Lemon,

Hon. Secretary.



OUR MEDAL FROM ENGLAND

TO THE wild life protector who endeavors to do his whole duty and hew to the line, life is not all a bed of mountain roses, nor even of lilies of the valley. Sometimes he is compelled to thwart the purpose of his own friends who persist in trying to go wrong; and in warfare for the success of his causes he makes enemies in direct proportion to the extent of his activities. The more he succeeds, the greater the number of those who hate him for his success; and he who takes up the sword of Protection may bid farewell to all dreams of "popularity."

All this being true, no man is more entitled to exhibit tokens of approval that happen unto him than is the wild life campaigner. It is not often that the world bestows substantial tokens of approval upon living civilians, and the most of the world's appreciation is reserved for dead men who are beyond its reach. In the bestowal of worth-while awards of merit, America is slow, stupid and 50 years behind her progress in other fields of endeavor.

The wild life worker has small need to hide his light under a bushel, or to wrap his medals in napkins, as did the unwise servant with his talent. We see no reason to conceal our genuine joy in the bestowal at the Guild Hall in London, on March 12, 1918, by the Royal Society for the Protection of Birds, of its gold medal of honor upon the Campaigning Trustee of the Permanent Wild Life Protection Fund. It was the official declaration of the President of the Society, the Duchess of Portland, that it was awarded "in recognition of the great services rendered by him to the cause of Bird Protection, especially in promoting the International Treaty between Canada and the United States of

America for the Protection of Migratory Birds." At the same time another gold medal of the Society was awarded to Dr. C. Gordon Hewitt, Consulting Zoologist of the Canadian Commission of Conservation, also for services in the promotion of the migratory bird treaty between the United States and Canada.

We unqualifiedly declare that the award to Dr. Hewitt was fully earned and most worthily bestowed.

Partly through the aftermath of the fight in the United States Senate in 1913, for the plumage law, but chiefly through the mortal embitterment of two or three senators through the Missouri enemies of the Weeks-McLean migratory bird law and the treaty, the American recipient of the Royal Society's medal enjoys the distinction (!) of having been more often and more violently denounced on the floor of the United States Senate than has fallen to the lot of all other defenders of the birds added together. But, even to Senator James A. Reed's excoriation of an hour and a half we never have asked the public to read an answer. I have held that the public has no interest in attacks that are made upon me personally.

The gracious action of the Royal Society for the Protection of Birds was unheralded and unexpected. We think it may be regarded partly as an expression of congratulation to us all on the success of the treaty. Certainly, that success was just cause for felicitation, and it is with sincere pleasure that we exhibit herewith a facsimile reproduction in black and white of the diploma bestowed with the medal.

WILD LIFE PROTECTION LITERATURE

BECAUSE there is a great dearth of wild life protection literature in forms fit for preservation in libraries of reference, we have been at some pains to produce a biennial volume competent to stand on its own bottom on a library shelf. We have been sending our biennial "Statement" as a gift to about 75 representative American libraries, with the suggestion that now it is well worth while for every library in America to start a collection of wild life conservation books and pamphlets. A list of those libraries is attached.

Up to this date about 95 per cent of the literature of wild life protection has been published (I can not say "is to be found") in weekly and monthly magazines, and in pamphlets. The availability of this literature leaves much to be desired. The most of it is, to the average man, totally inaccessible after a lapse of one year from date of publication. It is now the rule that none but editors keep bound volumes of magazines, and only those of their own making.

No one but a genuine bibliophile is capable of conserving pamphlets in such shape that they are systematically filed, indexed for use, and readily available. Each year scores of really useful pamphlets are snowed under forever by thousands that have no permanent value.

The producers of wild life conservation literature need to take thought for the morrow. The unbound pamphlet has its uses, but those who produce largely should so plan their product that bound volumes, properly indexed, can periodically be made up. Our own bulletins are paged consecutively, and every two years are bound up in our volume, and placed for keeps on the library shelf.

A similar course should be pursued by the Biological Survey, the Massachusetts Department of Agriculture and the New York and Pennsylvania State Game Commissions. The Massachusetts D. of A. already has to its credit two fine volumes on Bird Protection, by Mr. Forbush, but the Canadian Conservation Commission has a series of bound books that in number and scope of volumes surpasses us all. That series soon will move one point higher by the publication of the important volume left in MS. by the late Dr. C. Gordon Hewitt as his final contribution to the great cause that he loved, the "Conservation of Wild Life in Canada."

Of the first three volumes of this "Statement" series, a limited number are for sale. The price of Vol. I is \$1.00, and Vols. II and III are respectively \$2.20 and \$3.00 each, postpaid,—as long as the supply holds out.

LIST OF LIBRARIES IN WHICH "THE STATEMENT" MAY BE
FOUND

Alabama.

State and Supreme Court Library.....Montgomery

Arizona.

University of Arizona.....Tucson

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California.

Los Angeles Public Library.....Los Angeles

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Colorado.

Denver Public Library.....Denver

Connecticut.

Free Public Library.....New Haven

Yale UniversityNew Haven

Delaware.

State LibraryDover

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Library of Congress.....	Washington
U. S. Senate	Washington
U. S. House of Representatives.....	Washington
U. S. Dept. of Agriculture, Biolog. Surv.	Washington
U. S. National Museum, General Library....	Washington

Florida.

Jacksonville Free Public Library.....	Jacksonville
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Georgia.

Carnegie Library	Atlanta
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Idaho.

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Illinois.

Public Library	Chicago
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State Library	Springfield

Indiana.

Public Library	Indianapolis
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Iowa.

Historical Department of Iowa	Des Moines
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Kansas.

State Library	Topeka
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New Orleans Public Library	New Orleans
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Maryland.

Enoch Pratt Free Library	Baltimore
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Massachusetts.

Boston Public Library Boston
 State Library Boston

Michigan.

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 Public Library St. Paul

Mississippi.

State Library Jackson

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St. Louis Public Library St. Louis

Montana.

Public Library Helena

Nebraska.

Public Library Omaha

Nevada.

State Library Carson City

New Hampshire.

State Library Concord

New Jersey.

State Library Trenton

New Mexico.

Public Library Albuquerque

New York.

State Library Albany
 New York Public Library New York
 Brooklyn Public Library Brooklyn
 American Museum of Natural History New York
 Russell Sage Foundation (Sur. & Exhibits) New York
 State College of Forestry Syracuse

North Carolina.

State Library Raleigh

North Dakota.

University of North Dakota Grand Forks

Ohio.

Cincinnati Public Library Cincinnati

State Library Columbus

Oklahoma.

State Library Oklahoma City

Oregon.

Library Associations Library Portland

Pennsylvania.

State Library Harrisburg

Carnegie Library Pittsburgh

Rhode Island.

Providence Public Library Providence

South Carolina.

State Library Columbia

South Dakota.

State Library Pierre

Tennessee.

Carnegie Library. Nashville

Texas.

State Library Austin

Utah.

State Library Salt Lake City

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State Library Montpelier

Virginia.

State Library Richmond

Washington.

Public LibrarySeattle

West Virginia.

Public LibraryWheeling

Wisconsin.

State Historical LibraryMadison

Wyoming.

State LibraryCheyenne

FOREIGN LIBRARIES

Canada.

Commission of ConservationOttawa

International Institute of Agriculture, Dept.
of AgricultureOttawa*Mexico.*

Museo Nacional de Historia Natural.....Mexico City

England.

British MuseumLondon

Royal Society for the Protection of Birds.....London

Society for the Protection of the Fauna of the
British EmpireHatfields, Essex*France.*

Societe Nationale d'Acclimatation de France.....Paris

Ligue Francaise pour la Protection des Oiseaux...Paris

SPORTSMEN,

Do you wish shooting sport to continue?
Or do you wish to exterminate it, soon, by
statute laws?

Desiring Its Continuance, We Now Advise:

- That all bag limits be reduced 50 per cent.
- That all open seasons be reduced 50 per cent.
- That hunting be permitted the individual only one year out of every two years, and
- That the resident hunting license fees be raised 200 per cent.

THE WAY TO PROCEED

Ask the Secretary of Agriculture to reduce, by 50 per cent, the federal bag limits and open seasons on migratory birds.

Ask your state legislatures to do likewise.

Ask your state legislatures to increase all resident hunting license fees 200 per cent, give 10 per cent of the license money to the federal government for federal enforcement, support the state game commissions and wardens on a more liberal basis, and each year expend the balance on the feeding, sheltering and increase of wild life in sanctuaries, and in the destruction of vermin.

PART III.—VARIOUS PAPERS

THE END OF SPORT AND GAME IN AMERICA?

WILL AMERICAN SPORTSMEN SEE THEIR SPORT EXTERMINATED?

The raven became known as a bird of ill omen because on a certain occasion it became his duty to act as the bearer of a disagreeable message.

Notwithstanding all the fine victories that in the recent past have been won for the protection of North American birds and mammals, game and not game, the sportsmen of America still are facing some ominous prospects and disagreeable probabilities. They involve the permanence or the extinction of sport with the gun.

Ever since the enactment of the migratory bird law and treaty, we have been rejoicing in the return of the ducks and geese, and the revival of sport with wild-fowl. We have been joyously deluding ourselves by the belief that at last the future of bird-shooting sport in America is secure.

Even a brief review of the situation as a whole reveals the fact that in the United States and Alaska, our killable game is by no means on a continuing basis. Moreover, it is very likely that the measures absolutely necessary to the making of legitimate sport permanent for even fifty years to come will be found by sportsmen to be so disagreeable that they never will be developed by them to an adequate extent.

It is a common thing for a sick man to resent the idea of the surgeon's knife; but we know that reflection sometimes convinces the patient that a permanent cure is the only one that is worth while.

Here is the cold and disagreeable fact:

The game of our country cannot, by any possibility, much longer withstand the awful onslaughts that now are being made upon it, legally and illegally, wherever any game remains outside of sanctuary limits.

The question whether American sportsmen will go on with their shooting until finally they *exterminate their own sport*, is a question for them to decide. My task now consists only in pointing out conditions and their sure-and-certain results.

WHAT DO WE SEE?

Let us look over the cards, as they lie face up on the table, and see what they reveal.

First.—We see glorious federal and state laws for the protection of the insectivorous and non-game birds, well observed in most places, but in some places shamefully abused by alien shooters. That abuse is because it is an utter impossibility for any state to put into the field enough wardens to watch every alien who goes out hunting with a license in his pocket.

Second.—We now see game bird hunting reduced, very largely, to the hunting of ducks and geese, with a very little shooting of six shore-birds, quail and grouse.

Third.—We see all American quail, ruffed grouse, pinnated and sharp-tailed grouse on a steep toboggan slide, going swiftly toward sure Oblivion.

Fourth.— We see in the near future no wild game remaining save waterfowl, rabbits, hares and white-tailed deer, and a trace of introduced pheasants. Anyone who thinks that quail and grouse of any species whatever can by hand-made propagation keep the sport of shooting them on a permanent basis, makes a sad mistake. It can not be done!

Fifth.—We see that the propagation of pheasants on game farms is worth while, though it is not a great factor in the production of sport.

Sixth.—As we have all said many times, guns and gunners are increasing at an enormous rate, while many kinds of game are growing more and more scarce; and the open seasons are entirely too long.

Seventh.—We have seen that bag limits are not saving the upland game birds, partly because there are ten times too many bags!

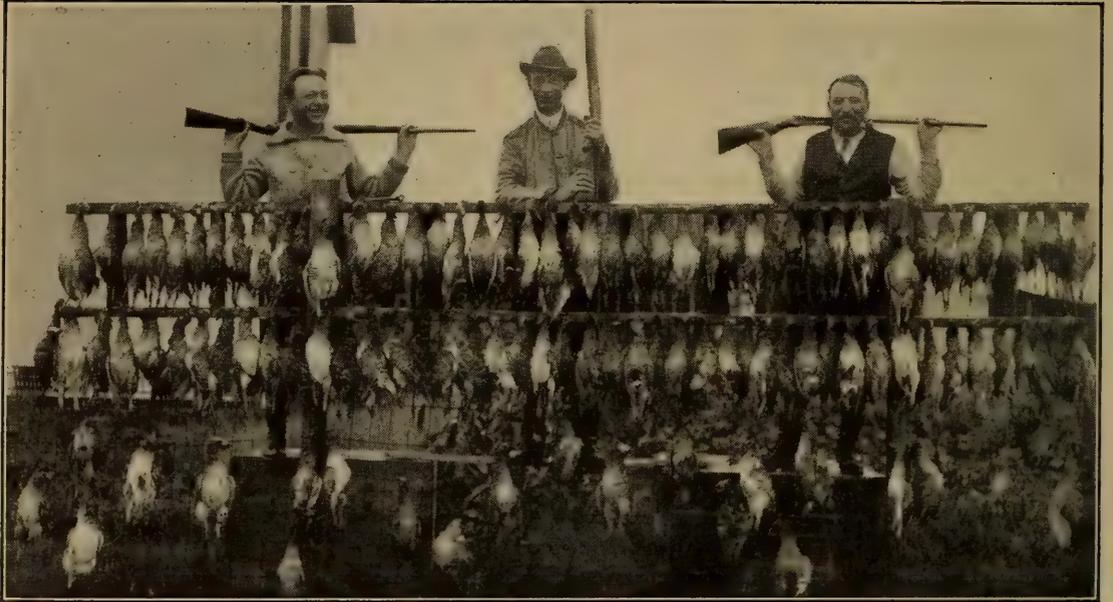
Eighth.—For land game we see all kinds of natural cover and food diminishing through drainage, cultivation, timber-cutting and fires. We see the natural enemies of the game holding it at great disadvantages; and the hard winters steadily are becoming *harder and more destructive to feathered game.*

Finally.—We see that the resident hunting license fees in the various states, one and all, without a single exception, are ridiculously and absurdly below the real value of the sweeping wholesale privileges that they confer.

THE ARMY OF GAME-KILLERS AND THE CHEAP AND EASY LICENSE.

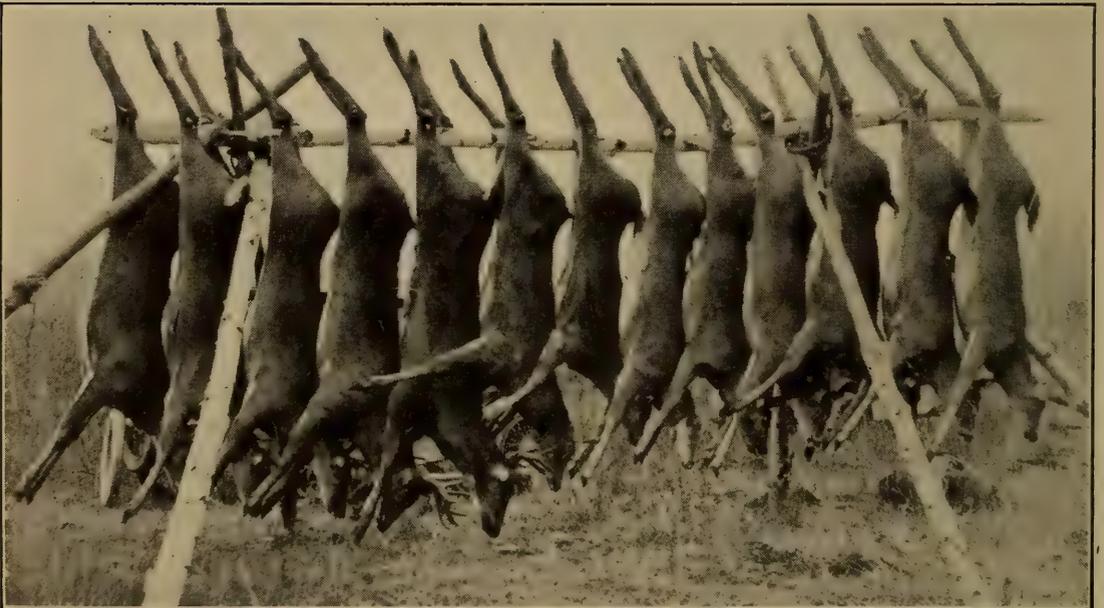
For twenty years and more we have been very unwise and wasteful in giving hunting licenses, to cover a whole state and all its small game, for an entire season, for the paltry and ridiculous sum of \$1 each. Yes, that is the standard rate for residents,—though a few states mark it a few cents higher. In nearly all states non-residents are charged higher figures,—as they should be.

By this time it is to be hoped that the American people are able to imagine the potential destructiveness of an army of 5,000,000 vigorous men, all well armed and eager to kill.



HOW LONG CAN THE BIRDS SURVIVE PRESENT BAG "LIMITS"?

By Courtesy of the Minnesota Scenic Highways Association.



THE SUREST WAY TO EXTERMINATE DEER—KILL FEMALES

By Courtesy of the Minnesota Scenic Highways Association.

In 1911 we ascertained that 1,486,288 hunting licenses were issued by 27 states, out of our total of 48 states. Computing by averages the allotment of gunners for the 27 states then not issuing licenses, the total arrived at of sure-and-certain hunters in 1911 was 2,642,194. The number of other men hunting without licenses and contrary to law was believed to be sufficient to bring the total up to at least 3,000,000. Some competent authorities long ago estimated the total as high as 5,000,000.

Since 1911 there have been some very great increases in the number of licensed hunters.

Here is one index of that increase :

In 1911 New York issued 150,220 hunting licenses

In 1915 New York issued 188,216 hunting licenses.

In 1918 New York issued 230,000 hunting licenses.

This means an increase of 80,000 since 1911, *not counting the farmers and tenants who now may legally hunt game on their own farms without licenses.*

In 1919 Pennsylvania issued 400,000 licenses. Now, it is estimated that 200,000 Pennsylvania farmers hunt on their own lands without licenses, but according to law, making a total of 600,000 active hunters in that one state.

I believe that *now there really are 5,000,000 men and boys*, licensed and unlicensed, annually in the field in the United States, well armed and equipped, hunting and killing game of any and every kind open to shooting.

For stories and pictures of what they are doing to American game, watch the narrative columns of the sportsmen's magazines, and the daily newspapers that devote space to shooting and fishing. A few sample pictures, of perfectly legal killings, in widely separated localities, are shown herewith and left to carry their own comments. Why waste words on the obvious?

QUAIL SLAUGHTER IN TEXAS, AND THE LOGICAL SEQUENCE EVERYWHERE



QUAIL REFUGE

ON ACCOUNT OF THE SCARCITY OF QUAIL, THE OWNER OF THIS LAND, AT THE REQUEST OF THE NEW MEXICO GAME PROTECTIVE ASSOCIATION, HAS AGREED TO PROTECT THE REMAINING BIRDS UNTIL THEY HAVE HAD A CHANCE TO RECUPERATE.



NO HUNTING ALLOWED

ALL SPORTSMEN ARE ASKED TO COOPERATE BY RESPECTING THIS SIGN

THE GROTESQUE BUT DEADLY BAG "LIMITS."

We now come to the second factor in the extermination of American shooting sport, the so-called bag "limit." In view of the enormous number of hunters, all the game-killing privileges available under "the law" need to be scrutinized.

If we really must exterminate our sport with gun and rod, let us do it with our eyes open.

With very, very few exceptions the bag limits on game to be killed have been fixed to satisfy or to please the sportsmen. The objections to bag limits that I have heard during the past five years I can count upon the fingers of one hand. The limits fixed usually represent the utmost number that a good shot can find and kill in one day, and the hunter usually gets the benefit of every doubt.

Now, why should a duck hunter be permitted to load himself down each day for 91 days with 8 big fat geese or 25 ducks—eight times more than he and his family can consume?

Do American sportsmen now hunt for *meat*, to "beat the beef trust," or for gentlemanly sport?

Do they hunt to keep the Hunger Wolf from their door?

Is it from the bloody love of slaughter?

That is the spirit of the mink, the weasel and the skunk.

Well, then! Why should they kill so MUCH?

In the reprehensibility of state bag-limit laws, all the states of our glorious republic are in the same boat, and they have been tarred with the same brush. Their bag-limit laws are, as a rule, rotten alike. I shall not stop to show them up in detail; because it is not necessary. One Horrible Example will suffice for all.



THE LEGAL WAY TO EXTERMINATE THE GAME FISHES
By Courtesy of the Minnesota Scenic Highways Association.

HOW THE BAG "LIMIT" ON FISH WORKS OUT IN THE STATE OF WASHINGTON

A Practical Illustration, from the Port Angeles (Wash.) Olympic Tribune.

"Dr. Dean told of the experience of Messrs. Blanchard, Bissel and himself on a trip to Crackerville, some eight miles from the head of the Elwha River last summer. Fish were so plentiful that one man could catch all the three of them could eat, and moreover, he could catch them in an hour or less before breakfast in the morning.

"At Elkhorn, a famous fishing ground, they found a party of Seattle 'sports' who had been catching the limit or more every day for the week past. They had fully 250 pounds of trout in sight, some in a smoke-house and more lying around rotting, a disgrace to them and a shock to every angler possessing the least sense of decency. And the pity of it is that the law, according to Game Warden Pike, cannot reach them. 'At the legal limit of 30 pounds a week,' said Mr. Pike, 'a party of six people out eight days may have 360 pounds of rainbow trout piled up and rotting, and yet be within the letter of the law.'"

Really, is it not strange that the anglers of America are as heedless as very many of them are of the ultimate fate of the game fishes of America, as their heedlessness is registered in wickedly destructive bag limits?

In order to offend no outsider, I will take the case of our own proud Empire State, New York, long a leader in wild life protection causes, and certainly today in the foremost rank of wild-life-protecting states. The bag-limits in the various states are very much alike, especially on waterfowl and shore birds, and each state is just about as criminally careless, and just as guilty of unsquare deals to its wild life, as is New York.

If you live outside New York, figure out for yourself the guilt of your own state, on the basis here shown.

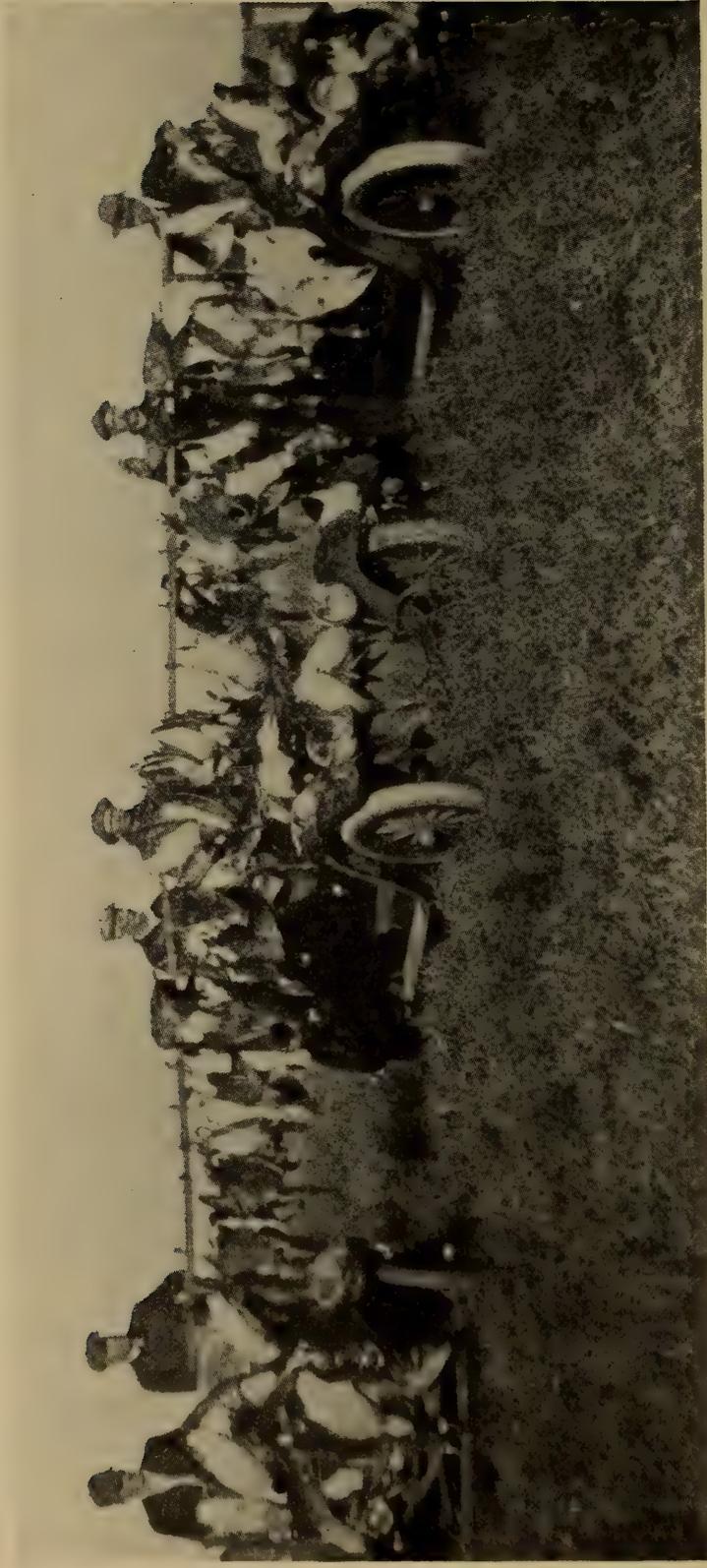
POSSIBILITIES OF GAME SLAUGHTER IN NEW YORK IN 1918.

230,000 Licenses; Residents, \$1.10 for the lot; aliens, \$10.50; for each license holder all of the following:

2	Deer.	
636	Varying hares or rabbits (6 per day, for 106 days).	
200	Squirrels (5 per day, 40 days).	
<hr/>		
838	Quadrupeds.	
24	Woodcock.	
20	Ruffed Grouse.	
3	Pheasants.	
1365	{ Golden Plover, Yellow-Legs and Black-b Plover, }	Mixed bag of 15 per day for 91 days.
2275	Ducks.	Twenty-five per day for 91 days.
728	Geese.	Eight per day for 91 days.
2275	Snipe.	Twenty-five per day for 91 days.
728	Brant.	Eight per day for 91 days.
2275	{ Rails, Coots, Mudhens, Gallinules }	Mixed bag of 25 per day for 91 days.
<hr/>		
9693	Birds.	

Total quadrupeds and birds killable by each license-holder, 10,531.

For the 230,079 hunting licenses issued in 1918, this means that the State of New York gave to her sportsmen legal authority to kill on her territory wild birds and quadrupeds up to a demnition total of 2,422,961,949 head.



RESULT OF FOUR DAYS HUNTING AT LAKE JOHNSON, SASKATCHEWAN

All according to law.

By Courtesy of *The Sportsmen's Review*, Cincinnati.

The 18,628 hunting licenses issued on Long Island in 1918 were good for the killing of 5,889,600 quail out of the 2,500 still alive on that island.

In 1918, 460,000 deer might have been killed in New York State out of a total deer population of about 50,000 head, all at 55 cents each, excepting a few at \$5.25.

But we are not yet through with the follies of the Empire State.

In addition to all the above possibilities for slaughter under state hunting licenses, we find in the state game laws the following paternal provisions:

That a land-owner, the members of his immediate family, and tenants actually occupying cultivated farm lands may hunt thereon without license during the entire open season!

We decline to try to figure out the number of persons who hunt annually in New York under the above provision without licenses, but in Pennsylvania the number of free farmer hunters is estimated at 200,000.

The plain fact in the New York case is that legal permission is each year bought, paid for and delivered to kill *about 10,000 times* as many head of game as there are alive in the state all told. This means that had the 230,000 licensed hunters of 1918 hunted with sufficient diligence they could have killed, in 1918, every wild game bird and mammal in the Empire State, and left no game alive anywhere save in the game preserves and the zoological parks.

And, furthermore:

With similar laws on the books of *all* the other states of this nation, the licensed and authorized hunters of the United States could, had they been sufficiently enterprising, have

wiped out in that same year *all the killable game of the United States.*

And these conditions obtain each year in this safe-for-democracy nation.

WHAT ARE THE OPEN SEASONS IN THE UNITED STATES?

It is impossible to give here small details, and it will be sufficient for present purposes to give the great general averages. On migratory game birds they are for the United States as a whole substantially as follows (see Federal "Regulations," for 1919-20) :

On all waterfowl, except wood duck, eider duck and swan, and coot, gallinule, Wilson snipe and jacksnipe, *three and one-half months.*

Rails	three months
Black-bellied and golden plover, and yellow legs	three and one-half months.
Woodcock	two months
Doves	three and one-half months

AND WHAT ARE THE UNIVERSAL BAG "LIMITS" ON MIGRATORY GAME BIRDS?

Here are the universal federal "Regulations" as adopted and published by the Department of Agriculture on July 28, 1919, for our 48 states:

Regulation 5.—Bag Limits on Certain Migratory Birds.

A person may take in any ONE DAY during the open seasons prescribed therefore in Regulation 4 not to exceed the following numbers of migratory game birds:

Ducks (except wood duck and eider ducks).—In the aggregate of all kinds	25
Geese.—In the aggregate of all kinds.....	8
Brant	8

Rails, coot and gallinules (except sora).—In the aggregate of all kinds	25
Sora	50
Black-bellied and golden plovers and greater and less, yellowlegs. In the aggregate of all kinds.....	15
Wilson snipe or jacksnipe.....	25
Woodcock	6
Doves (mourning)	25

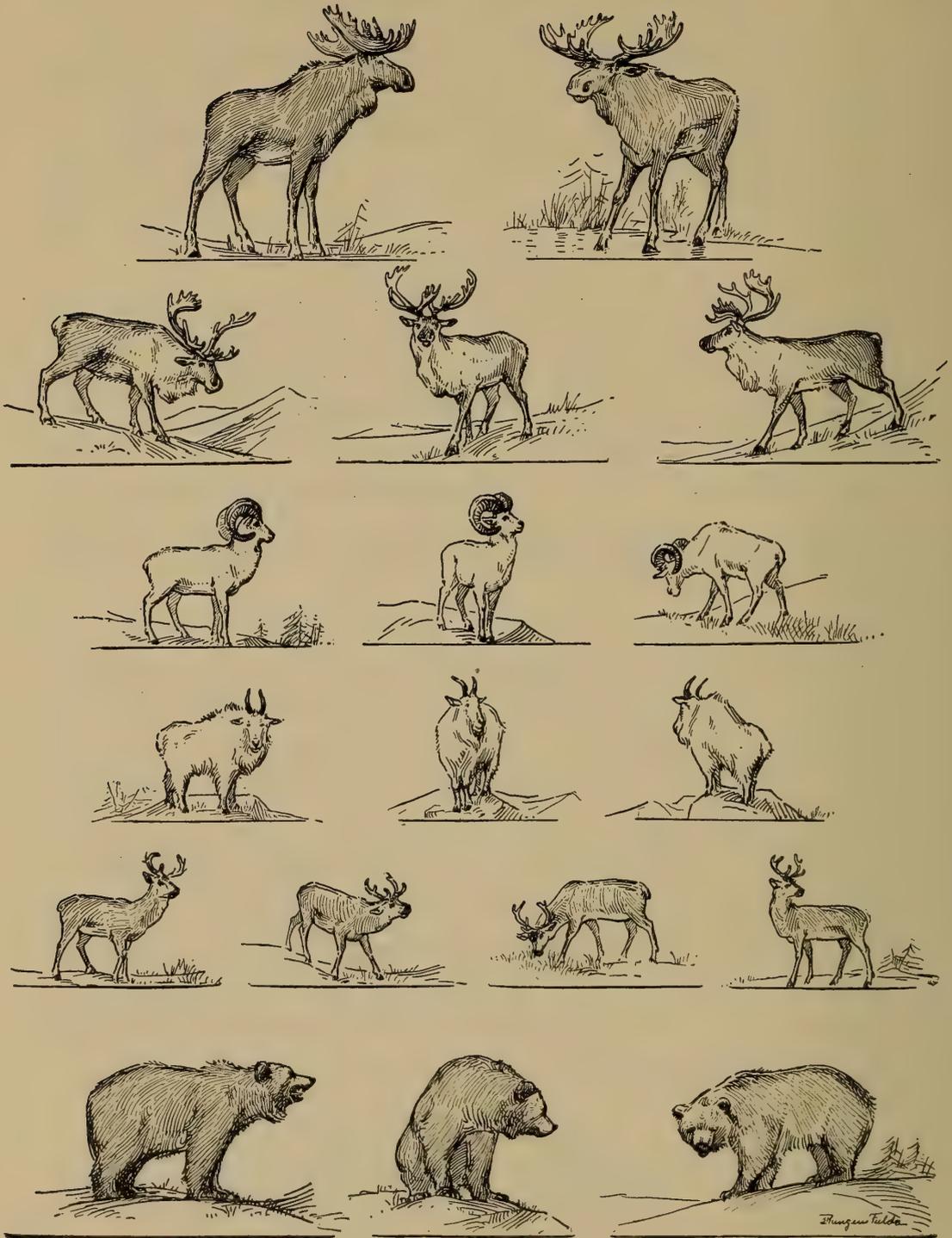
Now you have above the universal open seasons and the daily bag “limits.” With this information before you, and the figures representing the annual hunting licenses issued in your state, take pencil and paper and figure out for yourself the killing possibilities in your state, annually—and the prospects of game in your state twenty years hence.

The mind to which your figures make no appeal is hopeless.

Bag “Limits” in Alaska.—Concerning big game there is a good object lesson in the so-called bag “limits” in Alaska. The laws fixing them were framed in Washington, and therefore the people of Alaska are not to blame. We in “the East” have been criminally careless in this matter; and we hear that a few Alaskans have been criminally defiant in the non-observance of the absurdly-liberal law.

The Alaskan game bag “limit” may be taken as an extreme example of wicked wastefulness in the utilization of valuable game animals. A resident of Alaska may kill in one year, without any license or the payment of any fee, the following animals:

2 moose,	representing	1,800 pounds of dressed meat.
3 caribou,	representing	750 pounds of dressed meat.
3 mountain sheep,	representing	450 pounds of dressed meat.
4 deer,	representing	400 pounds of dressed meat.
Unlimited goats,	representing	450 pounds of dressed meat.
		<hr style="width: 10%; margin-left: auto; margin-right: 0;"/> 3,850
3 brown bears,		
Unlimited black bears.		



THE APPALLING ANNUAL BAG "LIMIT" IN ALASKA

Free to all residents. Non-residents pay \$50. Fully 3,850 pounds of edible meat.

A non-resident may kill the same identical bag, except that he is limited to 3 goats, for a paltry license fee of only \$50.

How long can the game of Alaska survive these conditions?

The complete destruction of all our game, outside the sanctuaries, is dependent not upon the law, the game commissioners or the game wardens, but upon the diligence or slothfulness of the men and boys who hunt according to law.

Now, what do serious-minded and honest Americans THINK of our system of game "protection"?

WHO IS RESPONSIBLE FOR THE EXTERMINATIVE PROGRAM?

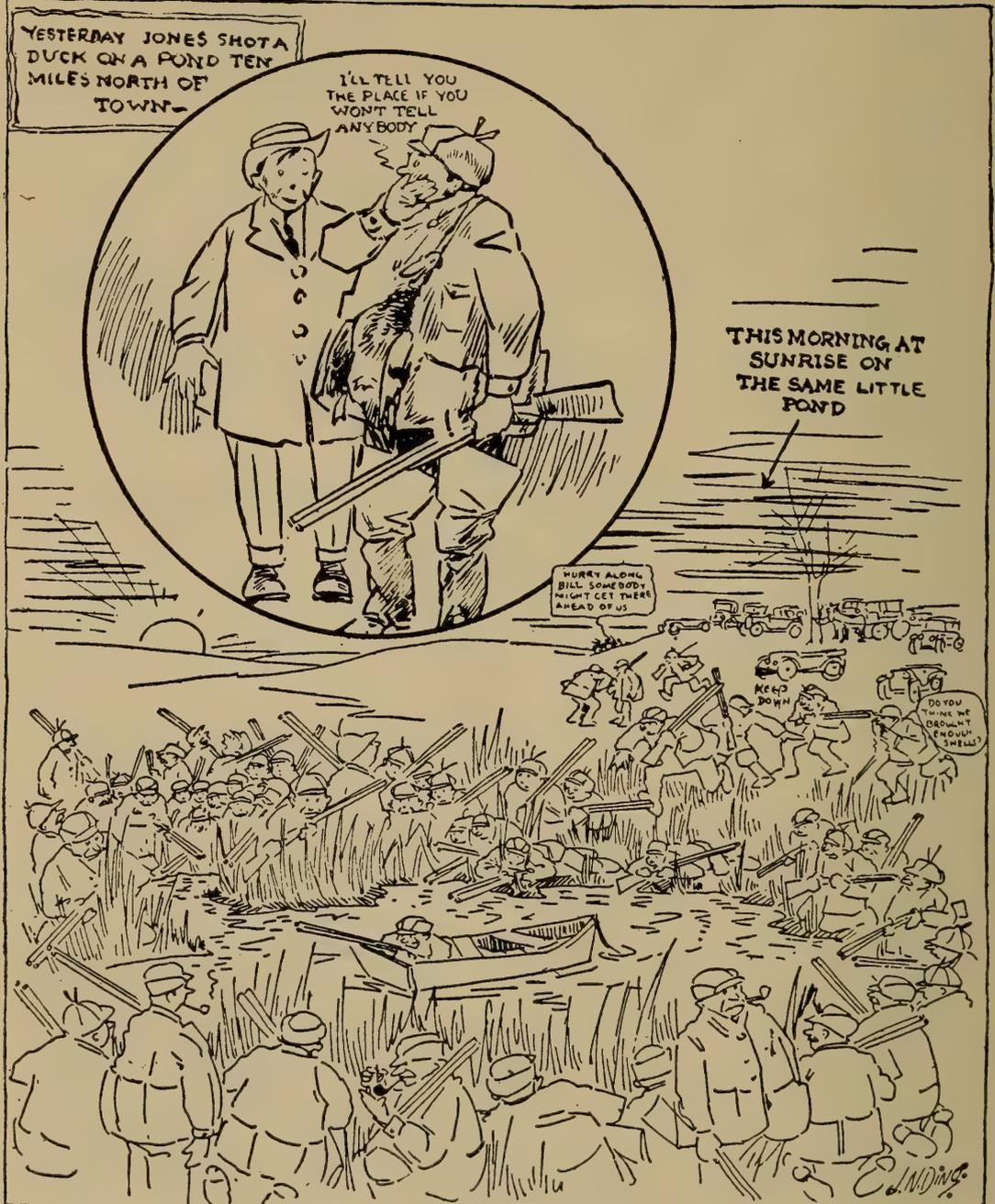
Yes; who is really to blame for the absurd hunting license fees, the joke bag "limits" and the criminally long killing seasons?

The answer is: Up to 90 per cent, *it is the sportsmen themselves!*

The state laws on non-migratory game are exactly as the sportsmen have developed them, to suit their own views and purposes.

The federal laws covering all migratory game birds have been made by the federal government's Department of Agriculture, and in the main they reflect the demands of the great mass of sportsmen as those demands have been expressed in the form of state laws. Thirty-four of our states have experienced no difficulty whatever in making their state laws synchronize with the seasons and bag "limits" of the federal Regulations.

When we sit down and for ten minutes devote ourselves to the difficult business of being honest and square with our wild creatures, we are compelled to admit (1) the open



THE OPEN SEASON FOR DUCKS,
As seen by J. N. Darling, ("Ding")

seasons and bag limits are fixed to promote killing; (2) that we consult the interests of the hunters much more than the welfare of the game; (3) that the close seasons are made disastrously long in order to give every sportsman his annual opportunity to go afield and kill all that he can kill of what the law allows.

With perfectly commendable caution, and for justifiable reasons, the Department of Agriculture has duly noted the expectations of sportmen that bag limits and open seasons shall be as large as possible, to give every sportsman a chance to go hunting each year, and kill what the law permits him to kill. It is not for the federal government to take the initiative in proposing sweeping new restrictions on killing, even though its agents know that they are necessary. The brakes must be applied from within the ranks of the hunters of game or they will not work.

Now, what are to be the answers to the questions raised by the three sets of conditions set forth above?

I will suggest them; but I do not intend to insist. To make active campaigns for the quick correction of these evil conditions is not for me. The task would be 48 times too great. I like the American sportsman, and wish him well, both afield and afloat; but now he is up against a series of situations that he alone can mend. I have done what I could to help him to preserve his sport, for himself, and his sons, and mine. Now, all I can do is to expose the dangers that threaten all sport in America with gun and rod.

If our sportsmen can endure the extinction of sport, I can!

THE ANSWER TO THE LICENSE AND BAG "LIMIT" MENACE.

What is the inexorable logic of the hard facts?

To me the answers seem so clear as to be beyond the realm of controversy. Are not these the logical conclusions?

1.—From this time henceforward, *ALL shooting of game must be diminished at least 50 per cent!*

2.—This can best, most easily and most justly be accomplished by permitting NO man to have a license, or to go hunting, *even on his own land*, more often than one year out of every two years.

3.—All licenses to either hunt small game or large game now should be doubled, or even trebled, in price.

4.—No state that maintains deer-hunting should license any man to kill a deer for a smaller fee than \$5.

5.—A license fee should everywhere, save by bona fide explorers and natives in the far north, be paid on each big game animal killed; and of all places in which this is necessary *Alaska needs it most!* The existing (non-resident) license fees in Alaska, for everything except the shipment of moose heads, are ridiculous and exterminatory, and if continued for the future, they would be a crime. No Alaskan will admit this, however, even when the big game of that Territory becomes extinct.

6.—In view of the cost to the nation of the adequate enforcement of the federal laws for the conservation of wild life, after increasing its rates, each state henceforth should turn over to the federal government, for conservation purposes only, ten per cent of its annual receipts from hunting licenses.

THE ANSWER TO THE OPEN SEASON MENACE

1.—In various states many open seasons now should be closed from 2 to 10 years each. Full specifications would make a long chapter dealing with each of the 48 states. It should begin with the upland game birds, and embrace many species of birds,—game and pseudo-game, many game mammals, and the fur-bearing animals of many localities. If this is not applied *immediately* to many fur-bearers in

many places, *the whole series very soon will disappear from the map of North America*; and the fur dealers and trappers can take this fact or leave it.

2.—In most cases the open seasons that should be left on waterfowl, shore birds, white-tailed deer, bear and all big game in Alaska should be reduced about 50 per cent; but in Alaska the preservation of wild meat in cold storage, until used, should be made lawful.

AVENUES OF ESCAPE.

For new safety measures, correcting the defects of foolish licenses, criminal bag limits and outrageous open seasons, appeal to the following sources, for new laws or new regulations:

For Migratory Birds: The state legislatures and the Department of Agriculture, Washington, D. C.

For Non-Migratory Birds: State legislatures only.

For Deer, Bear, Sheep, Goats and Moose: In the United States, the state legislatures; in Alaska, the Congress of the United States or the Department of Agriculture.

For More Game Sanctuaries: Congress for federal sanctuaries, and state legislatures for all others.

Rest assured that Congress and all State Legislatures cheerfully will enact all the new restrictive laws that sportsmen desire to place upon themselves in the killing of game, and for the better preservation and increase of game in sanctuaries, and on farms.

OTHER REMEDIAL EFFORTS.

In order that no sportsman may conclude that we rely solely upon measures repressive of the activities of hunters, we hasten to say most emphatically that in season and out



THE FIRST MORNING'S BAG
In the Grand Chenier, Louisiana.
By Courtesy of *The Sportsmen's Review*.

of season, we urge these additional protective measures for the wild life of North America:

Acquire marshes, waste woodlands and mountains without number, and make them sanctuaries for all kinds of valuable wild life.

Plant annually quantities of kaffir corn, millet and sorghum cane to furnish seed for wild birds.

Plant millions of berry, nut and seed bearing bushes, trees and plants as special food for wild birds. This will go far toward protecting cherries, grapes and other fruits from attack by robins and other birds that we can not kill. Good species to plant are wild cherry, mulberry, juniper, mountain ash, hawthorne and juneberry.

Feed upland game birds and other birds in winter about 10,000 times more than ever yet has been done, and provide shelters for quail.

Tie up all roaming dogs from May 1 to Sept. 1 each year, and save the ground-nesting birds from their rapacious jaws. One free-hunting hound does more harm than 20 sportsmen.

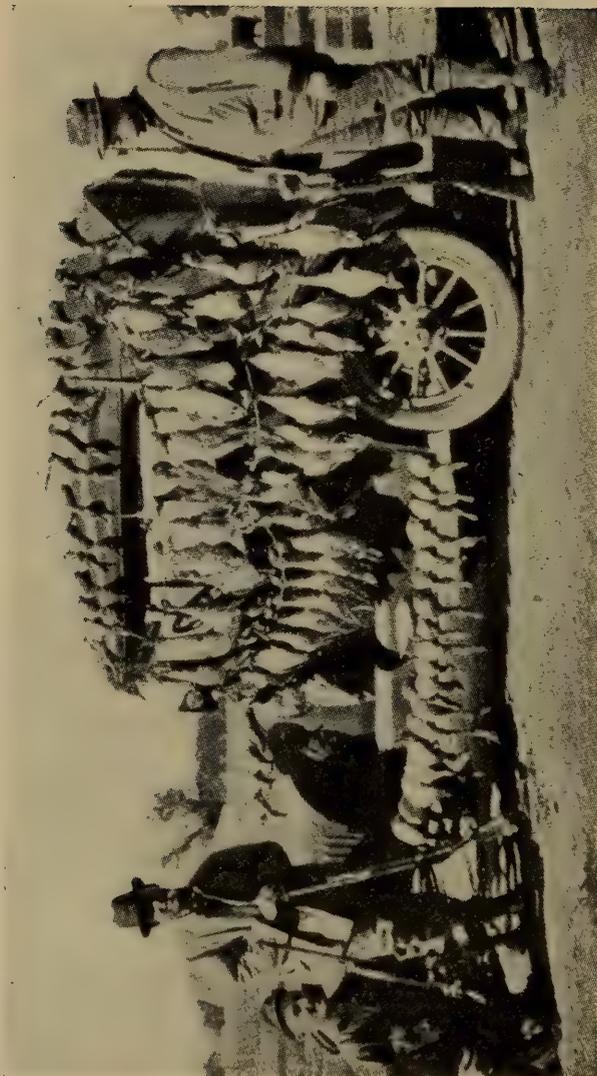
Kill all hunting or traveling cats.

Kill weasels, coyotes, great horned owls, barred and screech owls, Cooper, sharp-shinned and duck hawks; and crows and night herons whenever they start in to feed on ducklings.

Confiscate the gun of every gunner convicted of killing game illegally, or of trespassing when hunting.

In states like New York, New Jersey and Massachusetts, permit no alien to own or to use a gun. ("The Pennsylvania alien gun law is constitutional," says the U. S. Supreme Court.)

All gentlemen sportsmen will respect the rights of owners who post their lands against hunting; and all game-hog



A PERFECTLY LEGAL BAG OF DUCKS
"The Soco Nimrods" after a perfect day near Colusa, California, 1909
By Courtesy of *The Standard Oil Bulletin*.

trespassers should be *compelled* to do so, by stringent laws and heavy fines. Farmers will not feed and protect birds when the sure result is an annual horde of insolent and defiant trespassers. In some states the acceptance of pheasants from a state game farm *automatically opens that farm to free shooting!* This is intolerable and can not endure.

WISE LAWS DO PRESERVE GAME AND SPORT.

If American sportsmen wish that sport in the open with the gun and rod shall sanely and sensibly be saved from EXTINCTION, and established on a continuing basis, all they need to do to secure it is *to ask for it, in clear and decisive tones!*

If the fur-wearers, fur traders and trappers wish to have the North American fur-bearing animals saved from quick extinction, they need to say so at once, and ask for the laws necessary to conserve them, with no fooling or quibbling about the necessary details. The fur trade now is "up against" the certain and quick failure of the fur supply for the future, and it is for the three parties in interest to put up the bars of sane conservation, or put up their business shutters forever.

It has been proven over and over that it is possible for wise and timely laws, adequately enforced, to maintain game and sport. More than that, in rare cases it has even brought back both from the edge of Oblivion. The white-tailed deer and elk are the most responsive of all our big game in coming back and re-creating deer-hunting. The wild ducks and geese can and do come back, when the seed stock is adequate, and the breeding and feeding grounds are not destroyed.

But the upland game birds are different. They are mostly non-migratory, winter and summer they are surrounded by enemies of many kinds, their food supply day by day

and hour by hour is diminishing, and their natural protecting cover is being taken away from them. Nothing but quick work and strong and intelligent work is going to save any grouse and quail shooting anywhere in the United States for the future generations of sportsmen.

As instances of what sportsmen can do when they resolutely make up their minds, take the case of the geese and ducks of the United States. The stoppage of the sale of game and spring shooting has not only saved the sport of duck-shooting, but it has greatly increased it over what it was even ten years ago. Today it is the universal testimony that the supply of ducks and geese has enormously increased—since the migratory bird law was enacted. In the Mississippi Valley region there are more ducks in the air and on the water than have been seen at any past time during the last twenty years. As an exhibit I take great pleasure in quoting four paragraphs from a letter just received from Mr. J. N. Darling (“Ding”), the famous cartoonist, who is an ardent, but conservative, duck hunter :

“It was very remarkable to note the wonderful increase of all kinds of game birds due to the fact that for two years most of the hunters were either in France or so busily occupied with war work that they did not have time to go out and slaughter the game. Last season’s flight of ducks up and down the Mississippi and Missouri valley was the largest by common consent for the last twenty years. It reminded me of the days of my boyhood, when the flocks of ducks during migration extended from horizon to horizon. Also it was a shame to note what little regard the average hunter had for the limit set upon the day’s shoot.

“The law against spring shooting seems to be better observed this season than ever before, though I hear occasionally of some hunters who are going out and violating the law without any serious attempt to interfere.

“The bag limit here in the West is limited mostly to twenty-five birds a day, in some cases fifteen, and I am in-

clined to think the limit is not too high if it were adhered to. The trouble is that when the flight is heavy and the shooting good, very few of the hunters pay any attention to the limit. I know of a number of kills that were made last fall exceeding one hundred ducks per gun in one day.

“I will say, however, that there are a good many more real sportsmen among the shooters now than there were ten years ago, and I believe the efforts of the protective associations are having real effect.”

In Europe it has been proven over and over that private owners of large hunting grounds have preserved sport for centuries. The deer forests and the grouse moors prove it. But that game has not been cursed by millions of free shooters, each one asserting the rights of a sovereign, and sometimes quite able to defy owners while trespassing on fenced and posted lands. In “free” America our laws against trespass on fenced property are a howling farce. They are a disgrace to a civilized nation. They represent the fetich of “personal liberty” brutally thrusting aside the most fundamental of all property rights,—the right to enjoy peaceable possession.

It is high time that every state should protect the fenced property of its citizens against armed and dangerous, and sometimes defiant, game-hunting trespassers.

I have said all that I have to say.

Prof. Henry Fairfield Osborn, author of “The Age of Mammals,” now solemnly says: “*We are now at the end of the Age of Mammals!*”

It is my fear that man’s rapacity and greed for wild life now is so great that nothing will avail to save for the next century anything more of it than mere tattered remnants of a once glorious fauna,—rats, mice and English sparrows.

THE RATIONAL USE OF GAME ANIMALS

BY W. T. HORNADAY

*An Address delivered at the Canadian National Conference
on Game and Wild Life Conservation held at Ottawa,
Feb. 18-19, 1919*

THE words "rational utilization of game" immediately send my thoughts travelling into a region where the rational utilization of game has now become more than ever a burning question. I refer to the regions of the far north, sometimes called the inhospitable regions of the north, where the wild game of the country constitutes each year a very important part of the solid food of the white population. It is not my purpose to enter in detail into a consideration of the needs and the rights of the Eskimo, Indians, and wild tribes of that region; I am thinking mostly of the white population. We know that white settlements are pushing further and further into Alaska and northern Canada. We know that conditions are changing rapidly these days—in Alaska, at least. Conditions have so changed during the past ten years that it is now time to take thought for the morrow and proceed along new lines.

WILD LIFE IN THE HANDS OF MAN

In every new country man struggles mightily to harmonize with his environment and survive. Naturally, it is the newest countries that contain the most wild life. It is the way of the average frontiersman to make war on the game, and war on every man who seriously attempts to protect it from his onslaughts. In every country, new or old, the utilization of the wild game, and its perpetuation or extinc-

tion, are all determinable by the inexorable rules of logic, and of reasoning from cause to effect.

The interests of a great number of people are paramount to the interests of a few. To the conservationist of natural resources, waste is abhorrent, and the extermination of valuable species is a crime. The robbery of posterity is wicked and repulsive; and all robbery deserves to be either prevented or punished.

In every well-settled country containing a fair supply of game birds, game and fur quadrupeds and food fishes, the questions involved in the taking and utilization of those assets of nature create an irrepressible conflict. Every country produces its annual crop of uncompromising destroyers, and some countries contain a few real conservators.

The western world contains few fanatics of the oriental type, to whom all killing is abhorrent and wicked. The white races of men believe in the doctrine of legitimate sport and sensible utilization; but the game-hog is a constant menace.

The game-hog is a factor with which every government and every individual game protector must reckon. In the slaughter of game he has no conscience, and to him, game laws are an intolerable evil. He is utterly devoid of sentimental or scientific interest in wild life, and he will go far to kill the last representative of a species in order to boast of it.

KILLING EVERYTHING IN SIGHT

Some game-hogs, who are honestly ignorant of what they are, can be educated out of their evil ways, and reformed; but others can not be. The last annual report of the New York State Conservation Commissioner, George D. Pratt, contains this striking passage regarding the confirmed game-hogs of the Adirondacks who slaughter deer illegally, and for whom no one can plead the excuse of ignorance. Commissioner Pratt says:

“An analysis of the violations thus reveals that they were due not to dissatisfaction with any one law, but to general contempt for the Conservation Law, *per se*. The protectors (disguised as sportsmen) were all required to report whether the hunters in the camps to which they were assigned operated on the general plan of killing practically anything that they saw, and more than two-thirds of the protectors answered this question in the affirmative. The result of this determination is shown in 101 deer that came within the protectors' immediate knowledge, in most cases under their personal observation: 46 were bucks, 44 were does, and 11 were fawns of both sexes. It was a matter of great interest in one camp that one man had killed eight does in the season, while another at the same camp, by a singular coincidence, had killed eight bucks.” It is to be remarked that the killing of does in the Adirondacks or anywhere in the state of New York is entirely illegal.

“There were many more illegally killed deer than those mentioned above,” says the Commissioner, “regarding which the protectors obtained evidence that resulted in settlements or convictions. Cases arising from the 1917 work were settled for \$3,511.50. They involved 79 individuals and more than 125 violations. Already in 1918, 38 cases have been settled, with a total recovery so far of \$4,245. The 1918 cases alone will number between 200 and 300 when all have been closed.

“The Commission wishes particularly to point out that the violations of the deer law involve no particular class or locality more than another. Men of all walks of life are involved, and even some women, who deliberately stood upon runways in wait for deer that were being run by dogs. Efforts to correct the old, outworn point of view regarding wild life—a point of view that would make game the property of whoever can get it, regardless of law—*must accordingly be directed to every class and locality.*”

LAWS MADE TO COVER WORST CONDITIONS

Now, in the making of laws, it is always necessary to make the laws adequate to curb the worst elements. No sooner is a new game law enacted than the human vultures who prey upon wild life immediately scrutinize it and study it in order to find its weak spots, and to plan evasions. It is this devilish spirit of criminality that renders it so difficult to provide for the utmost utilization of wild game as food for man. Whenever we see the day wherein all men will gladly obey the spirit of a law, as well as its stern letter, then may we say that the millenium of game protection has arrived.

The continuous development of the interior regions of Alaska and northern Canada, the increase in power transportation, of mining and of general exploitation, has brought a corresponding increase of pressure on the remainders of big game. The valleys of a very few navigable streams now contain any considerable remainder of moose, caribou, mountain sheep or bear. To find big game now it is necessary to strike into the interior. The great herds of caribou that only forty years ago came within gunshot of St. Michaels, Alaska, at the mouth of the Yukon, have vanished from the lower Yukon almost as completely as if they never had known that region. Now the residents of St. Michaels must travel hundreds of miles to find the nearest herds of the caribou millions.

DISAPPEARANCE OF NORTHERN BIG GAME

But the disappearance of northern big game is a large subject, and not to be entered upon here. We are concerned with the rational utilization of the stock that remains. The practical questions now before the people of Canada and Alaska are as follows:

(1) How can we secure the most thorough legitimate utilization of wild game?

(2) How can wastefulness be prevented?

(3) How can the continuity of supply be insured?

The moment we undertake to conserve big game in the northern two-thirds of Alaska, which is north of the 62nd parallel of latitude, we come up against some strenuous demands for the sale of game. Fairbanks now is the storm-centre of a new demand, for the sale of game all the year round instead of in the open season only. Most Alaskans believe that the game of Alaska belongs to the people of that territory, that they should administer it as they think best, and, above all, that the sale of game is not only right, but absolutely necessary.

In 1918, it was noted that the laws of the United States were permitting the sale of moose, mountain sheep and caribou meat during the open season for hunting, everywhere in Alaska north of latitude 62°, and that, during the year 1917, 6,000 pounds of big game meat lawfully had been fed to the laborers employed in the construction of the Alaska Central railway, actually under the supervision of the present Governor of Alaska. That large figure was given by Mr. Thomas Riggs himself, then Alaskan Railway Commissioner, at the hearing on the Sulzer bill, in Congress on March 5, 1918.

The Sulzer bill proposed that mountain sheep, moose and caribou meat should be sold all the year round, everywhere north of latitude 62°, and it was ardently supported by Mr. Riggs and the people of Fairbanks. The Sulzer bill promised to be so destructive to the big game of Alaska that it was easily killed. The episode emphasized with new force the fact that a new game act of Alaska now has become an absolute necessity, and must be worked out in the near future.

LIVING CONDITIONS IN THE NORTH

Every conservator of American big game is at least partially aware of the conditions that surround white people

who live all the year round in the northern regions of Canada and Alaska. Away from the influence of the lines of power transportation, the procuring of supplies of fresh meat from the flocks and herds of the stock-raiser and farmer is an impossibility. And it is not good that men, women and children should be compelled to subsist for long periods on no other flesh food than dried fish, dried venison, bacon and ham. If we concede that it is right for the trader, the missionary and the soldier of fortune to live in the far north, and rear families there, then we must concede that they are entitled to some supplies of fresh meat from the wild herds that can afford them without the risk of extermination. In the language of commerce, we believe they are entitled to all that the traffic will stand.

The question is, how can we meet the legitimate needs of the widow of Fort Churchill, the trader at Fort Resolution and the missionary at Point Barrow, without the risk of annihilating the breeding stock? Let us assume that no one of these can go out, license in hand, and himself hunt and kill his own lawful quota of game.

In the utilization of the wild game food of those regions, the non-hunters must not be fatally penalized because of their physical or other disabilities that prevent them from personally taking their own share of game on the hoof. Now, what is to be done?

The men of the Far North at once will say:

“Provide by law that all those who cannot hunt may buy their share of game from those who can hunt.”

This proposal merits careful analysis and consideration.

It is now a widely accepted principle of conservation that no wild species can long withstand commercial exploitation. It is an accepted fact that the surest way quickly to exterminate any wild species is by placing a cash price on the heads of its members.

OPPOSITION TO SALE OF GAME

Throughout the whole of the United States, and I think all of southern Canada, the conservers of wild life are a fixed and unalterable unit in opposition to the sale of game, anywhere, in those regions. That matter has been considered, and at times fought over, for fully ten years; and, if any principles in wild life protection can be regarded as settled for all time, it is the ban on the sale of game and on the sale of the plumage of wild birds. The Sulzer bill could have been, and would have been, buried under a mountain of opposition, both in and outside of Congress, had it been pressed forward.

In view of the well-known and legally recorded briefs of the wild life conservationists of Canada and of the United States, I now regard it as a waste of time to attempt to devise ways and means for the sale of wild game. The principle that lately has been so gloriously reaffirmed and so everlastingly fixed by the international treaty between Canada and the United States for the protection of migratory game birds against the market hunter and the game-dealer, must not now be discredited in the Far North. The time has come that the sale of game in Alaska must positively stop before it has brought great harm to the game and to the people of Alaska.

It is a curious circumstance that the men who thus far have saved some of the game of Alaska from annihilation, have done so without either appreciation or thanks from the people of Alaska. But for the initiative of the meddling eastern naturalist in 1902, by this time the accessible regions of Alaska would have been swept bare of hoofed game. It is utter folly to assume, or to believe, that the people of Alaska alone are either willing or able to protect their big game from extermination, and utilize it on a real continuing basis. In times like the present the truth may better be told bluntly than in any round-about way.

The people of Alaska are, from first to last, diligent exploiters of the natural resources of Alaska, and the majority of the white population look forward to getting out of that territory to spend the remainder of their lives elsewhere. Twenty-five years hence a majority of th Alaskans may be sincere conservers; but a quarter of a century is a long time to wait, and, in the interval, much mischief may be accomplished.

BIG GAME MUST BE CONSERVED

No, we can not agree to any sale of game anywhere; because that policy is known to be extra destructive. At all hazards, the big game of Alaska and northern Canada should be conserved on a continuing basis, for the good of the residents of those difficult regions.

The hunters of Alaska may find it impossible to believe that eastern sportsmen have at heart the welfare of the future residents of Alaska who will need wild meat. No doubt very many of them feel that all the protective efforts of United States men are designed to protect United States hunting grounds; but all misunderstandings of our motives in Alaskan conservation we must accept as an unavoidable part of the burden, and as coming all in the day's work.

I believe that on this point we are indeed thinking more of the welfare of the Alaskans of the future than is thought by the Alaskans of today.

And now what can we offer as an attempt at a solution of the puzzling question raised by the widow at Fort Churchill? It is time to put forth something intended to be constructive. We are absolutely certain that a way can be found to protect the rights of the widow, the missionary and the trader without the surrender of a great foundation principle, and without going halfway to meet disaster by providing for the sale of game.

In an effort to be both brief and clear, we submit the following proposals as candidates for adoption into a code of principles:

PROPOSED PRINCIPLES

1. In the well-settled regions of the United States and Canada, the supply of wild game is nowhere sufficient to render it an important food supply; and in view of its steady destruction by man, predatory mammals and birds, severe winters and scarcity of food and cover, game killing in those regions must be regarded as a severely limited pastime, and not as an industry in competition with the stock-raiser and the butcher.

2. In well-settled regions, it is impossible to make bag limits too small, or open seasons too short, for the best continuance of the game supply.

3. No frontiersman can reasonably be expected either to devise, or to execute, unaided by his Federal Government, methods for the adequate preservation and increase of large game.

4. Well-settled and well-fed regions require game laws of greater stringency than frontier regions.

5. Frontier and savage regions require to be especially defined on the map, and provided with game laws specially adapted to the needs of their inhabitants and to the available supply of game.

6. The strict regulation of game-killing in frontier regions inures directly to the benefit of the people most dependent upon the game for their existence.

7. The sale of game should not be permitted at any time, anywhere; because all commercialization of wild game and other forms of wild life is thoroughly exterminatory in its effects.

8. In all countries the rational utilization of game is desirable, but only on a basis that will provide amply and adequately for the perpetuation of the breeding stock.

9. Regions that are remote from lines of power transportation or are, in winter, entirely cut off from supplies

of fresh meat from without, are entitled to preferential treatment.

10. The relief of persons inhabiting frontier regions who by reason of sex, age or other causes are unable themselves to take out licenses and hunt and kill their annual quota of game must be specially provided for by law.

11. Every community large enough to contain a post office should be established as a game-protection centre, or unit, and a deputy game warden should be appointed for each centre, to whom an annual salary should be paid during satisfactory service, no matter how small the salary might be.

12. The duty of every such deputy game warden should be to issue hunting licenses, check up the reports of license holders, and generally promote and be responsible for the observance of the laws affecting game.

13. The cold-storage of legally-killed game to promote its full utilization by the holders of hunting licenses, beyond the regular season for hunting, is desirable and necessary.

14. It is time for the Governments of Canada and the United States to stop all killings of female hoofed game, other than caribou, by Indians, by prospectors, and by all other persons.

15. The waste of game should, under certain fixed conditions, be made a penal offense.

16. Regulations should be framed to require the reasonable salvage of game meat by sportsmen.

LAWS TO COVER SPECIAL CONDITIONS

It would be placing a very low estimate on the mental fertility of Canadian and American law-makers to assume that it is impossible for them to provide a share of caribou meat and snow geese for the widow and the missionary

without the sale of game. To the lay mind it seems entirely possible to work out a scheme for having a certain amount of hunting by proxy, under special licenses, prepared and issued to meet such cases. The game warden or his deputy, or, in their absence, some other government officer, could determine the merits of each application and exercise the discretion of issuing or not issuing a license to hunt by proxy. The holder of such a license could be relied upon to find a suitable person to act as a proxy, go out and make the kill and haul in the meat, for a daily wage consideration. Such proxies should not be issued to persons able to hunt for themselves; and the transfer of game by barter should be treated the same as the sale of game.

The feeding of the refuse portions of game to sled dogs should be provided for by law and regulation rather than be permitted to continue unchecked in the total absence of regulations.

FAMILY UNIT THE BASIS FOR LICENSES

In the issuance of licenses, the family unit should constitute the basis of issue. Any law which, like those of certain western states of America, provided for the issue of a full hunting license to each member of a family would be a mistake, and occasionally would lead to heavy slaughter.

A hasty survey suggests that, with a liberal bag limit, one hunting license to four persons of one family would not be very wide of the mark. The bag limit of our Alaskan Game Act permits the killing of two moose, five caribou and three mountain sheep, which is certainly enough fresh meat for four persons for four months, if it be *properly utilized*.

The Nova Scotia law that forbids sportsmen to leave large quantities of good meat to spoil in the wilderness, or to be devoted to the maintenance and increase of predatory game-destroying wolves, is an excellent law. Ethically,

no sportsman has any special right to waste good edible meat in hungry lands. Let the salvage of meat be a part of the price that the sportsman pays for the privilege of pastime slaughter of valuable food animals.

NEW ALASKA GAME ACT SUGGESTED

In response to the demand of the people of Fairbanks, Alaska, and others nearer home, that the sale of game privilege be greatly extended throughout northern Alaska, we reply that the time has come for a new Alaskan Game Act which will completely stop the sale of game, and provide for a safe and sane system for the better utilization of the wild game of that territory. We have suggested to the Fish and Game Club of Juneau, southeastern Alaska, that an unofficial commission be assembled to consist of five persons, three of whom shall be residents of Alaska, to consider all the facts and proposals available and evolve a new Alaskan Game bill. While that proposal has met with some favor, its future is, of course, uncertain. At all events, however, it appears to the writer to offer the best approach to a new system of combined protection and utilization.

Alaskans are greatly disturbed by the destruction of valuable game by wolves, and they appeal insistently for governmental relief. That subject is of pressing importance, but is quite apart from these observations.

In conclusion, there is now every reason for advocating, in the rational utilization of game, prompt and thorough consideration and firm and energetic action.

THE RESCUED FUR SEAL INDUSTRY

AT the St. Louis fur auction held on February 2, 1920, there were sold for the United States Government 9,100 skins of fur seals, the net proceeds of which were \$1,182,905, an average of \$140.98 per skin.

That sale marks an important period in the history of the most practical and financially responsive wild life conservation movement thus far consummated in the United States. In 1911 one of the stakes set by the advocates of the five-year close season was a return to a revenue of at least "\$1,000,000 per year," and now it is no exaggeration to say that the results of the long close season that began in 1912 and ended in 1917 have been everything that the close-season advocates claimed that they would be.

The steady and very rapid increase in the fur seal population of the Pribilof Islands during their five years of immunity from commercial slaughter is revealed by the following official census figures as made by the United States Department of Commerce, and kindly furnished by Secretary Alexander.

- In 1912 there were 215,738 seals of all ages.
- In 1913 there were 268,305 seals of all ages.
- In 1914 there were 294,687 seals of all ages.
- In 1915 there were 363,872 seals of all ages.
- In 1916 there were 417,281 seals of all ages.
- In 1917 there were 468,692 seals of all ages.
- In 1918 there were 496,432 seals of all ages.
- In 1919 there were 530,237 seals of all ages.

The total number of fur seals killed for their skins since the open season began have been as follows:

In 1918 the number was 34,890.

In 1919 the number was 27,821.

The prices realized at the St. Louis fur auctions on the sale of fur seal skins are revealed by these figures:

In 1918 there were sold 8,100 skins for \$375,385. Average, \$46.34 per skin.

In 1919 there were sold 19,157 skins for \$1,501,603. Average, \$78.38 per skin.

In 1920 there were sold 9,100 skins for \$1,282,905. Average, \$140.98 per skin.

If the average price of \$140.98 at which the lot of 9,100 skins sold on February 2, 1920, should hold for the entire catch of 27,821 skins taken in 1919, the total gross revenue for the lot would be \$3,922,204.58.

In view of the feverishly advancing prices of all kinds of real fur, the growing scarcity of the supply, and the clamorously insistent demands, both of the rich and the poor, there are good grounds for the belief that very soon we will see good raw fur-seal skins selling at auction at an average price of \$250 each. With 110,000,000 people in America demanding "fur", the future of the trade in real fur is remarkably bright,—so long as the supply lasts,—and Congress may regard the future of the nation's fur seal industry with entire complacency. The saving of the fur seal herds was a good investment.

In the future, when all other bearers of good fur have been utterly exterminated—*as they soon will be*—the protected fur seal herds will produce, by sure-and-certain arithmetical progression, a really vast quantity of the finest fur in the world. It needs no stretch of prophecy to foretell the annual increment to the three nations who now are so sensibly preserving the fur seals of Alaska from killing at sea. When we begin to take, as we formerly did in the days of the fur seal millions, an annual catch of 100,000

skins, the importance of the salvaged fur-seal herd will be realized. If we figure it out on a basis of the sale of February 2, 1920 at St. Louis, the answer is \$14,098,000 *per year*, 75 per cent of which will belong to the United States.

Under the terms of our treaty with England and Japan we are dividing net proceeds with those two partner nations, who now help us to preserve the fur seals when at sea, on the perfectly fair basis of 15 per cent to Japan and 10 per cent to England. During the five-year closed season we annually paid to each of those two nations the sum of \$10,000.

In its habits the fur seal—which in reality is not at all a true seal, but a fur-coated sea-lion—is one of the most remarkable of all sea-going mammals. There are writers who still insist that fur seals can be managed by man just as a farmer manages his herds of breeding cattle and horses. As a matter of fact, the fur seal is hopelessly wild and untamable, and the only “management” that man can bestow upon the free animal is in terms of slaughter. He can drive it and kill it by artificial or by natural selection, but that is absolutely all. The fur seal migrates, returns, breeds and feeds solely in accordance with its own erratic and persistent will, and man’s so-called “management” lies solely in the use of the seal-killer’s club and the skinning-knife.

HOW PENNSYLVANIA IS BRINGING BACK GAME AND SPORT

A Story of Great Success in Making State Game Preserves.

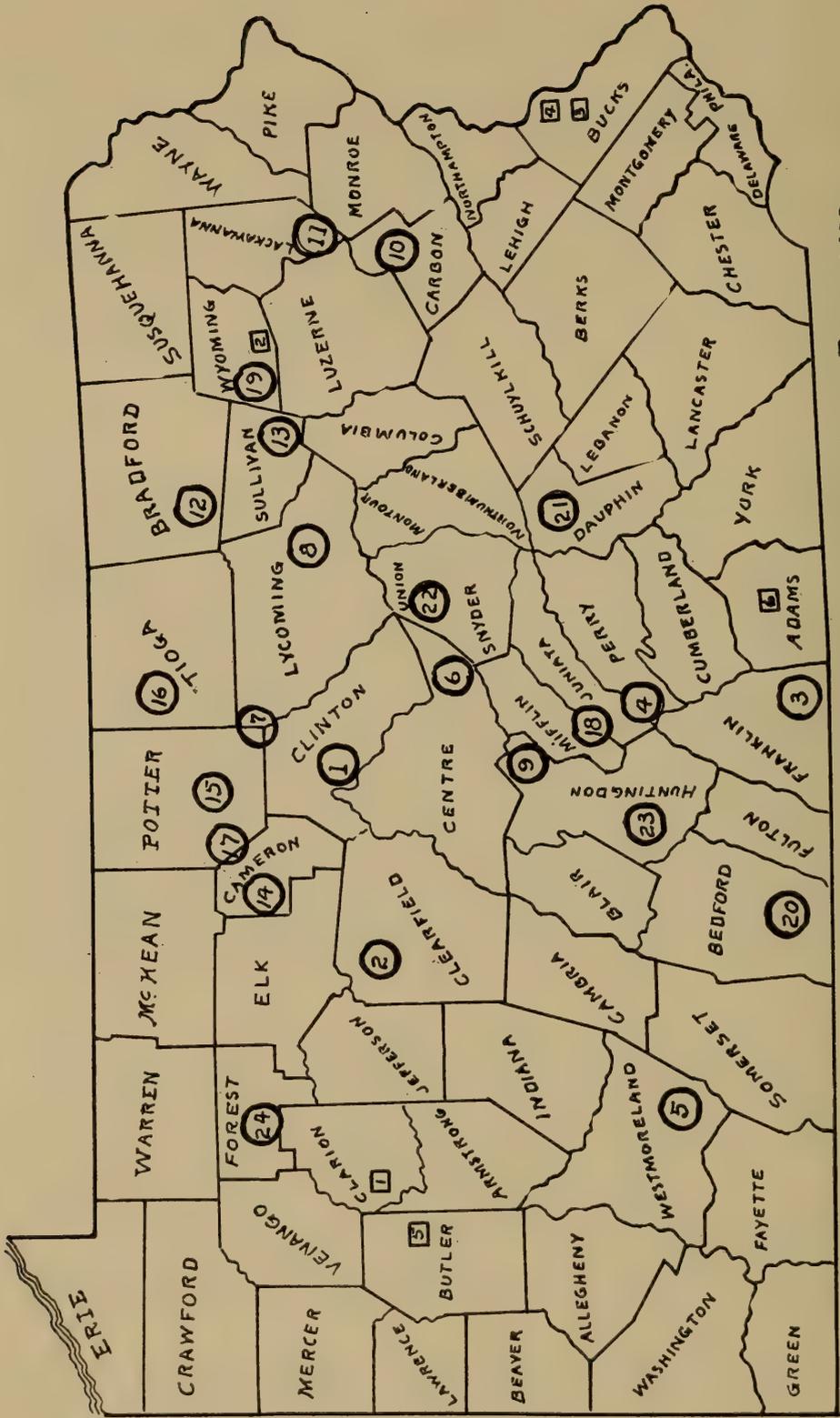
BY JOHN M. PHILLIPS.

For Fifteen Years a Member of the Board of Game Commissioners
of Pennsylvania.

Some twenty-five years ago the thinking sportsmen of the State of Pennsylvania, becoming alarmed at the rapid disappearance of wild life generally in this State, awoke suddenly to a realization of the fact that if it was to be saved for posterity, immediate action was necessary to secure its protection and preservation. It was recognized that in order to attain results, a head to direct and guide the efforts of the sportsmen was necessary. After considerable agitation, in 1895, by an Act of Legislature, the Game Commission was created, empowered to collect data and to recommend legislation relating to the subject of game and wild bird preservation, and to enforce such laws as might be enacted. The Commission was to consist of six sportsmen, appointed by the Governor without regard to their political affiliations, as it was intended to keep the Game Commission a non-partisan body and out of politics. The Commissioners were to serve for love of the work and without remuneration.

The cause was particularly fortunate in the first Commission, as the men appointed were enthusiasts on the subject of wild life conservation; besides, they had had considerable experience in protecting birds and animals upon lands under their control. Soon after taking office the Commissioners realized that in order to accomplish results something more than good game laws and their enforcement was necessary, for, while this might take care of the game left in the State, no provision was made for increasing the supply.

Having in mind the magnificent results achieved by the Federal Government through the establishment of National



○ State Game Preserves. □ Auxiliary State Game Preserves.

PENNSYLVANIA'S STATE GAME SANCTUARIES

Parks and Game Refuges in various parts of the United States, and the experience of those in our State who owned private game preserves, the Commissioners, some years later, hit upon the idea of establishing in various parts of the State, refuges or sanctuaries into which game of all kinds and song and insectivorous birds could retreat and find safety when harassed by enemies. It was thought that freedom from disturbance, especially during the breeding season, in an area where predatory animals and birds could be exterminated and where a closed season would be maintained perpetually, would result in a marked increase in the birds and animals in these sanctuaries, if the experience of the Federal Government and private individuals could be taken as a criterion.

A careful investigation of the subject of game propagation satisfied the Commissioners that efforts to raise in captivity our native game birds, such as wild turkey, ruffed grouse and quail, had not as yet met with material success. Another point that was seriously considered was that just as the introduction of the English sparrow and the German carp had resulted disastrously to the nation, so might the importation of foreign birds and animals result in more injury than good to the State.

After considering all phases of the question, the idea of a game farm was abandoned and the Commissioners turned with renewed conviction to the sanctuary idea by which our native and useful wild life could multiply without assistance from man other than the systematic extermination of vermin and the absolute protection afforded by a perpetual closed season.

Happily for the purpose of the Commission, the movement for the conservation of our forests and water-supply was well under way. Our Pennsylvania Department of Forestry had already acquired large tracts of land, located almost without exception in our mountain counties, at the headwaters of streams, constituting a forest reserve area and recreation ground for our people which, at the present time, aggregates over a million acres distributed over almost half of the sixty-seven counties of the State. The areas of these forest reserves vary, ranging from 1,176 acres in Wyoming County to 128,085 acres in Clinton County.

By an Act of Legislature May 11th, 1905, the Game Commission was authorized, with the consent of the Commis-

sioner of Forestry, to establish Game Preserves or sanctuaries upon the State forest lands. The Legislature of 1907 limited the area of these Preserves to nine miles in circumference, while those of 1911 and 1915 increased their size and provided that the greatest transverse dimension should not exceed ten miles, nor should the area of the Preserve exceed one-half of the total area of the tract of land of the forestry reservation upon which the Preserve was located. In 1919 an act was passed, backed by the sportsmen, authorizing the Game Commission to purchase with the surplus from the Resident Hunters License Fund, lands near our large centers of population, where the Forestry Commission did not already possess lands, for the purpose of establishing game sanctuaries and hunting grounds similar to those on state lands. Also an act allowing the Game Commission to provide auxiliary game preserves of not less than 250 acres or more than 4,000 acres through the consent of the owners or by lease. These auxiliary preserves may consists of farm lands.

These wild lands, although in the main unsuitable for agriculture, are the natural home of the game it was desired to attract and propagate, and possess the necessary summer and winter feed, streams and cover for our birds, bear, deer, squirrels, rabbits, etc. Chestnuts, beechnuts, acorns and many other nuts, wild grapes, haws and other fruits are abundant, together with an almost endless variety of berries. So long as the ground remained bare feed would be plentiful, and with the coming of the snows and ice many of the birds could feed upon the buds of the beech, birch and other trees, and if necessary, could be fed by the preserve keepers. Besides some of the tracts possessed waters upon which wild water fowl might find a resting place, at least in their migratory flight.

Rather than establish a few preserves of large dimensions, it was deemed advisable to create numerous small ones of about 3,000 acres each in extent and to locate them, as nearly as possible, in the center of the forest reserves in different counties. The purpose of so locating the sanctuaries was to make sure that the game propagated therein would first spread to the state land rather than to the property of any individual or organization which might be posted to prohibit hunting. In this way the Game Preserve would produce an unending supply of game which would naturally

and inevitably spread to the public forest lands from which no hunter is barred.

It was thought wise to locate the Preserves in sections where the game had formerly been plentiful but had been practically exterminated, to gain by such action the support and assistance of the hunters in that region rather than to locate in territory containing plenty of game, thereby incurring the resentment of the hunters, who would feel that their best hunting grounds had been taken away.

When the location of a Preserve has been decided upon, the first thing necessary is to exterminate the vermin, which destroys more game than the hunters. The wild-cat, weasel, fox, skunk, mink, and the prowling house cat are, through the careful use of strychnine and by other means, killed off. The next step is to guard against the danger from fire and the brush is cleared from a strip of land fifteen to twenty feet wide around the outside of the Preserve. In some instances where the danger from fire is pronounced, it is also crossed with fire lines, thus creating open roads where fires may be met and extinguished.

Vermin having been exterminated and provision made for fighting forest fires, we next surround the Preserve with a single marking wire, fastened to trees or posts, about waist high on a man, the object being not to enclose the game but to define the limits of the Preserve. This wire is usually nine miles long and is placed inside the fire line surrounding the Preserve. At frequent intervals notices printed upon muslin are tacked up along the line of wire on trees or posts, calling attention to the fact that the lands inside the wire are a State refuge for game, and asking for the cooperation of all in seeing that the game is not disturbed. The sanctity of these preserves in almost fifteen years has only been violated once and then it was claimed by mistake, showing that our sportsmen appreciate their value.

The Preserve is now ready for the game, and if it is not already sufficiently stocked, game of various kinds, such as deer, elk, wild turkeys, fox squirrels, varying hares, etc., are purchased and placed in it. A State Game Keeper is in charge of each Preserve. His duties are to fight fires, see that the game is not molested, keep the Preserve free from vermin on which, as an incentive, he is paid the regular bounties. In order to supplement the natural feed in

the Preserves and attract and maintain wild life, he is instructed to plant walnuts, hickory nuts, mulberries, wild cherries, mountain ash, apples, wild grapes and other nut, fruit and berry producing trees and shrubbery, buckwheat and other grains. In addition to this he plants barberries, spruces, pines, etc., for shelter and winter cover. This spring 2,500 of these trees and shrubs will be placed in each sauctuary.

There are no fences around the Preserves and, as stated above, the wire is intended only as a marker, so that the game is not confined in any way, but can enter and leave the Preserve at will, it being intended to reproduce as nearly as possible the conditions under which animals and birds thrive in a wild state. Naturally, the herds and flocks intermingle at pleasure and there is no in-breeding with the consequent loss in stamina that would occur in a fenced enclosure.

Provided dogs and guns are left outside the wire, our Preserves are open to the public except during the open season for game, when no person save the officer in charge is allowed within the wire, the purpose of this provision being to prevent the driving of deer and other game outside the Preserve onto the forest reserve, where it may be killed in the open season.

The cost of establishing one of these Preserves upon State lands in wild country is about as follows:

Smooth double galvanized No. 9 wire.....	\$115.00
Cutting fire-lines, etc.	350.00
Erection of camp.....	1,000.00
Erection of stable and other outbuildings.....	300.00
Telephone connection	200.00
Horse	165.00
Two fire extinguishers—No. 22 Babcock-dump bottle	45.00
	<hr/>
Total average cost of creating a sanctuary.....	\$2,175.00

The cost of maintaining one of our regular Game Preserves per year is at this time approximately as follows:

Salary of game preserve keeper.....	\$900.00
Feed and maintenance of horse.....	150.00
Feed for game, including the planting of trees, shrubs, etc.	50.00
Telephone rental	24.00
Miscellaneous expenses	50.00
	<hr/>
Total	\$1,174.00

We have been careful to stock our Preserves with the large northern deer, most of them secured from Michigan, Vermont, New Hampshire and New York, and the balance from breeders within the State, the cost ranging from \$15 to \$30 each.

Some of our deer are caught during the snows of early spring, when hunger forces them to come to baited traps. In many cases they are caught by being driven into corrals through long V-shaped wire fences and shipped immediately in individual crates. On account of the does being heavy with fawn, they should not be handled later than March. However, our losses have been negligible and have never exceeded 2 per cent.

We have never had a State-wide closed season on deer in Pennsylvania. In 1905 our total kill in bucks, does and fawns was estimated at 300, and it was then realized that if something was not done quickly our deer would be exterminated. Our bear and wild turkeys were also on the road to extinction. It was during that year that our first game sanctuary was established in Clinton County, and by 1913, when our Resident Hunters License Law was passed, giving us ample funds to carry on our work, we had six large Preserves in operation and our kill for 1913 was approximately 800 deer, 300 bear and 500 wild turkeys.

We now have 24 large game preserves of about 3,000 acres each located in our mountain counties, with a large area surrounding them upon which our 600,000 sportsmen may hunt without running up against trespass signs. We also have six auxiliary game preserves, mostly on farming lands for the protection and propagation of rabbits, quail, ruffed grouse and English pheasants, with hunting grounds surrounding them. During 1920 we expect to establish ten additional large game preserves and at least twenty-five auxiliary game preserves.

Our kill of game has increased yearly since 1905, when we established our first Preserve, and in the season of 1919 the total was as follows:

GAME KILLED DURING SEASON OF 1919.

Number.	Kind.	Estimated Weight of Each.	Total Weight.
2,913	Legal Male Deer	130 lbs.	378,690 lbs.
472	Bear	200 "	94,400 "
2,719,879	Rabbits	2 "	5,439,758 "
439,106	Squirrels	1 "	439,106 "
34,036	Racoons	8 "	272,288 "
5,181	Wild Turkeys	12½ "	64,762 "
287,001	Ruffed Grouse	1½ "	430,501 "
15,658	Ring Neck Pheasants.....	3 "	46,974 "
46,319	Virginia Quail	6 oz.	17,369 "
575	Hungarian Quail	6 "	215 "
27,769	Woodcock	6 "	10,413 "
28,714	Wild Waterfowl	2 lbs.	57,428 "
Total weight			7,251,904 lbs.

The deer and bear were counted by Game Protectors in the sportsmen's camps, so are perhaps under the total killed, while the figures on small game are based on information secured by our Protectors.

The results attained have been so evident and so uniformly successful in all our preserves as to demonstrate beyond any question the value of this idea. Our preserves are no longer an experiment. The steady increase in the supply of game in them, on the large public hunting ground surrounding them, and in their neighborhood, has been remarkable. The large northern deer imported from other states and placed in these preserves have thrived and multiplied so that localities in which they were formerly plentiful but had been exterminated are again populated with these beautiful creatures of the woods. Our South Mountain Preserve, located in Franklin County in 1907 and stocked in the early spring of that year with three bucks and twenty-three does, is a good example. In the fall of 1906 four deer were killed in that section, a buck, a doe and two fawns, which about exterminated the deer. In 1919 426 bucks were killed. In 1913 we located on the forest lands of Westmoreland County, within 60 miles of Pittsburgh, a Preserve where deer had not been seen for over 30 years. In the hunting season of 1918 fifty-five bucks were killed there, and in the season of 1919 sixty-three bucks, all the offspring of the twenty-one deer with which this sanctuary was stocked.

A dog with a tin-can tied to his tail naturally seeks home and friends and it is not strange that wild life, when harassed by sportsmen, should seek safety and peace in these sanctuaries. Many stories are told regarding the instinct or sagacity of the deer, especially old bucks, in eluding their pursuers by seeking temporary safety in these refuges. During the snow at our Ligonier Preserve, tracks of 74 deer were seen entering the Preserve during one day and night and only 14 leaving it in that time. Grouse, turkeys, squirrels and other small game nest and breed in the sanctuaries and naturally scatter over the surrounding country. During the hunting season it is surprising how quickly they learn that inside the sanctuary wire means safety.

To our minds this system of game propagation in its habitat and environment and under absolutely natural conditions with protection from hunters and vermin, is infinitely superior to any plan which involves the breeding of game in confinement. In fact, the Pennsylvania Game Commission considers it a patriotic duty to bend all its energies and apply all its resources to the conservation and perpetuation of our native and useful wild life rather than to import from foreign countries at great expense birds and animals of doubtful value.

Through the adoption of Pennsylvania's constructive game preserve policy, the million acres of State Forest Reserve on which a few years ago wild life was almost extinct, are being gradually made into the greatest hunting and recreation grounds ever contemplated for the benefit of the people of any State.

It has been observed that in 1919 our State sportsmen killed 7,251,904 pounds of game, which at the low price of 20c per pound would have a value of \$1,450,380.80. Our sportsman who pays a dollar fee to belong to the greatest hunting club in America makes a good investment. In 1919 we sold 400,000 licenses, and there are 215,000 farms in Pennsylvania with at least one hunter to a farm, all exempt from license, making up a grand total of 600,000 hunters.

It is our opinion that our game sanctuaries are the main factor in bringing back our game, although this could not be done without good game laws, especially our Buck Law and Alien Gun Law, and the enthusiastic support of our

sportsmen, as well as the revenues derived from the Resident Hunters Licenses. Last, but not least, credit must be given to the fact that the Game Commission is quite divorced from politics.

If game can be provided so plentifully that no bird or animal species is in danger of extinction, we consider hunting a national necessity because it trains men to take care of themselves in the outdoors and become skilled with firearms—both these factors being highly beneficial to our nation in time of war.

April 26, 1920.

THE SAVING OF THE SEA BIRDS OF THE GULF OF ST. LAWRENCE

BY DR. JOHN M. CLARKE

Director of the New York State Museum, Albany.

The following historic record of recent events of importance to North American bird life was kindly prepared by Dr. Clarke at the request of the editor of this volume. It reveals a light that to most Americans has, to date, been "hidden under a bushel," but which well deserves a place in the recorded history of North American bird protection.—W. T. H.

SOME seven or eight years ago the horrible slaughter of the birds on the Bonaventure cliffs by tourists who thought it fine sport to fill a boat with dead Gannets, aroused general indignation on the coast, and these activities were the cause of some protesting letters from me to influential friends in Canada, and in 1914 and 1915 I was asked by the Royal Society of Canada to present the matter at the annual meeting of the Society in Montreal. Just about this time a memorial, drawn by the lease-holders of certain salmon fishing reserves in Gaspé, protesting against alleged activities of the Crested Cormorant in the destruction of the young salmon was sent to the Minister of Fisheries at Ottawa and an order was issued to Commander Wakeham, Chief Game Inspector for the Gulf of St. Lawrence, to have the Crested Cormorants which nest on the summit of the Perce Rock destroyed. Commander Wakeham proceeded to arrange for the execution of his instructions although he did it reluctantly, as I know from personal correspondence with him at the time when I expressed regret at the action taken. A protest was made against this order by a number of the citizens of Gaspé, but the effective protest came from the Province of Quebec itself, which demurred to the invasion of its authority in this case by the Central Govern-

ment. The order was therefore rescinded until such time as an examination of the diet of the cormorants might determine whether and to what extent the young salmon were their food.

This investigation was started the following summer under the auspices of the Geological Survey of Canada which sent to the coast Mr. Taverner and his assistants. Mr. Taverner was engaged for the entire season and part of the following season in this examination and carried his studies still further amongst the nesting birds of Perce Rock and Bonaventure Island. He did not, however, visit the Bird Rocks of the Magdalen Islands. In due course Mr. Taverner made his report, quashing the indictment against the cormorant. Meanwhile, in the winter interval, I was asked by the Commission of Conservation at Ottawa to go there and present the cause of the birds with a view to their protection by the Federal Government. This I did and found a general sentiment of enthusiastic cooperation.

I had a definite plan for working the project out in spite of the difficulties presented by the control of the bird islands involved. This was an interesting situation; all three Islands were a part of the Province of Quebec. The Bird Rock, however, had been taken by the Federal Government for lighthouse purposes; Bonaventure Island was privately owned and the Perce Rock was still Crown Land subject to the civic control of the Province of Quebec. The general proposition of the Commission of Conservation was to bring the three together under a wardenship to be controlled at Ottawa, either by them or by the Canadian Bureau of Parks. I received genuine support from the Bureau of Parks. The Director assured me that they had the right to constitute such a park and the Commission of Conservation had money enough to acquire from the private owners the necessary properties for purposes of control. I was thereupon authorized by the Commission of Conservation to proceed with the taking of title to the private lands on Bonaventure Island, a project which was to be worked out economically by the

transfer, on the part of the owners, of a strip of land bounding the bird cliffs, in part compensation for which the Commission of Conservation was to put up an iron fence not only to mark the boundary but to keep sheep and cattle from falling over the rocks. The bird ledges on Bonaventure Island extend over almost the entire eastern face of the Island and the lots of land run straight across from shore to shore, so that every lot owner on the Island had at the rear end of his lot a face on the bird cliffs. Among the larger owners there was an ancient fishing station which had been in active business since the latter part of the 17th century. This Company, like other fishing companies on that coast, was supreme in its influence upon the people and was regarded by them somewhat in the light of the seigneur of the Island.

During the following summer I was engaged in drawing these titles and found no objection on the part of the owners to executing them. A standard form of deed was approved by the Commission of Conservation, but when it came to the execution of the deed by the Fishing Company, I was met with absolute refusal on their part. The manager of the Company, being an obtuse fellow with no sentiment, opposed the entire project so vigorously that the private owners became terrorized and were reluctant to sign. Then it became necessary to attempt to convert the Company itself to this project.

The control of the stock of the Company was held by Senator Turner of Quebec, an aged man, the father of the two Generals Turner who had attained great distinction in the Canadian Army. Many trips were made to Senator Turner from Ottawa and Montreal; first by Mr. James White and Dr. Frank D. Adams, and in some of these visits I think, subsequently, Dr. C. Gordon Hewett. Senator Turner was a man of peculiarities and the interviews were not successful, not always amicable. Nothing was accomplished. I sought to approach him in a different way and through a personal friend living in Gaspé, whose name, I regret to say, can not be mentioned in connection with this matter; a

person who knew Senator Turner and the members of his family, and I was able to present the matter with a map of the Islands which I had prepared for the purpose and succeeded in getting his unconditional assent to the proposal and indeed, his enthusiastic espousal of it. Everthing then seemed cleared out of the way when Senator Turner died and the matter was passed on to his heirs. This complicated the situation as the heirs were scattered. The members of the family living in Quebec were however approached and found to be cordial in making the proposed concessions. In spite of this effective work on the part of the citizen of Quebec to whom I am vaguely referring, it was taking too long a time to realize the end sought.

On one occasion while actively concerned at Perce in these preliminary matters, I had the pleasure of getting the Honorable Honore Mercier, Minister of Fisheries of the Province of Quebec, into close and intimate touch with the situation on the ground. After the death of Senator Turner and the obvious breakdown or delay in the operations being carried on by the Commission of Conservation, the entire problem was taken up as one of Provincial concern exclusively. The same effective citizen who was successful in gaining the interest of the Turners was also intimately acquainted with Mr. E. T. D. Chambers. I am not informed that this influence was in this case specially exerted upon Mr. Chambers for the end in view. I think very likely that Mr. Chambers and his Chief, Mr. Mercier, worked out the problem by their own first intention. At any rate, Mr. Chambers drew the bill which has been enacted into a law and Mr. Mercier saw that it was so enacted. The provisions of the law, as far as the Islands are concerned, are those which were outlined by me and for which I was working with the support of the Commission of Conservation.

There is the story, rather a longer one than I meant to tell. I have given the sequence of the facts as I know them. In a forthcoming number of "Natural History" I have written of these places and told a part of the story as succinctly

as the space required. I do not think that the ins and outs of such a campaign need to be made a matter of record. I may say, however, that my army of friends in the Province of Quebec have cordially held up my arms in every move that I have made, and perhaps I ought to add that I have used the pages of the Bulletin of the Geographical Society of Quebec on behalf of this effort. I have long been an honorary member of that Society and am very glad indeed to receive the personal commendation and recognition which the Society has accorded me.

THE WORST INDICTMENT OF AMERICANS

THE worst indictment we ever have seen in print bearing upon the game protection morals of outdoor lovers is to be found in "Field and Stream" for November, 1918, on page 557. It was written by a very decent "Proprietor of a Sporting Camp," somewhere out West, and it tells a story of a lawless and selfish spirit that is fairly astounding. It is the figures given that make the story actually gruesome. Here it is in part:

However, this is not the worst phase of the situation. There are hundreds of sportsmen who could not be induced to shoot game out of season, and who brag that they never break the game laws, who, nevertheless, practically force the guides or the proprietor of the camp where they are staying to serve venison out of season.

Right now we wish to acknowledge that we have, up to the last two years, shot out of season whenever we needed fresh meat at the camp. In 1911 very little was used, and we started the season of 1912 determined to absolutely refuse to serve venison out of season. We almost succeeded, but not quite. If we had "cut it out" entirely we would have been in the poorhouse this winter, and with no prospects of any guests in 1913. We kept a very careful and complete record in 1912, and the results below will show the reason for our financial worry.

85% of guests asked for venison.

57% demanded venison.

20% gave us to understand that if they didn't get venison they would never come again. "They got it at Blank's, and knew that *he* was a 'sport' anyway."

14% tried and sometimes succeeded in getting venison for themselves.

90% brought small calibre rifles or pistols.

20% of these shot at anything that moved.

30% were noticed to shoot small birds and squirrels.

Six men asked for partridges before season, and two of them shot them out of season.

Now this was not an unusual set of guests. In fact they were the best "bunch" we have ever entertained, and a gentlemanly and lady-like crowd. Their lack of veneration for the game laws seemed to be the only weak spot in their behavior.

In eight years we never have had a guest protest against a violation of the game laws, and several of them were members of Game Protective Associations in other States.

What is the answer?

TEXAS TESTIMONY ON THE CONTINUED DESTRUCTION OF VALUABLE BIRDS IN TEXAS

Texas seems determined to retain the bad eminence heretofore accorded her of being a "dark and bloody ground" for the slaughter of valuable birds.

Attention is called to the following testimony contained in an address delivered by Prof. H. P. Attwater of Houston, at the Texas Farmers Congress on July 18, 1919. It appeared in the *Houston Chronicle* of July 19, under the caption:

DESTRUCTION OF BIRDS IS VAST INJURY TO FARM

"This spring I visited one of my old collecting grounds in Bexar County on the Madina River, south of San Antonio, and was deeply impressed with the noticeable scarcity of bird life compared with former years. Where birds of many kinds used to be found in great abundance at that time of the year, with nests in almost every tree, and birds heard singing in all directions, during my stay of two days at the ranch there was a strange silence, and I only noticed a few frightened mocking birds, red birds, doves and some others, which appeared unusually shy.

"Along the road several dead bullbats were observed which had been shot from autos, simply for the pleasure of seeing them fall. I was told that auto parties leave the city in all directions, especially on Sundays, many of them with one or more passengers, who practice target shooting. My friends at the ranch said that the sound of firing on some days was incessant, and that on one occa-

sion the occupants of one machine used up 400 cartridges during a trip. It is safe to say that nearly, if not all, these shots were fired at harmless and useful birds. When we consider that similar conditions exist in the vicinity of other towns and cities throughout the State, we begin to realize the magnitude of this senseless destruction of one of the State's most valuable natural assets at a time when the need for conserving wild life is vitally important.

“Besides their ruthless destruction by man, now greatly facilitated by motor power and machine guns, a terrible toll is also exacted of birds by their natural enemies and from other causes, including hurricanes, storms, prolonged drougths, forest fires, floods, severe freezes, poison, the destruction of forests and woodlands, stray cats and half-trained bird dogs allowed to roam about by irresponsible owners. . . .

“It is unfortunate that our State bird and game laws are constantly being violated with impunity, and that much opposition to the federal migratory bird law (one of the best moves for bird conservation ever made in this country) still exists in certain quarters.

“Farmers who do not protest when their feathered friends are being exterminated unlawfully are as much to blame as those who do the killing.”

The very latest bird news from Texas is to the effect that Col. Sterett, the State Game Commissioner, has been very busy trapping quail in the counties wherein quail still exist and shipping them, *for colonization purposes, to counties in which quail have been EXTERMINATED!*

This, and huge losses to Texas cotton planters from the boll weevil, are the logical results of senseless quail slaughter in Texas. But

“Let the galled jade wince. Our withers are unwrung!”

QUICK RESULT OF PROTECTING THE PRAIRIE CHICKEN

In regions where grouse and quail have been reduced to only a few widely scattered and mostly solitary individuals, the slow results of long close seasons have been pointed to by the enemies of close seasons as proof that the principle lacks value. There are some men who will not understand that when grouse and quail are shot down to a certain low point, no power on earth enables them to recover. On the other side, however, where protection was given in time, it is a pleasure to cite the following testimony furnished by Mr. L. L. Rudrud of Piapot, Saskatchewan, Canada, November 2, 1918, as follows:

“Prairie chickens next to ducks are the most plentiful birds to be found out here. They have received the protection of our Province for two years and now there sure are plenty of chickens. They will run in the wagon trail ahead of your horses and very seldom do they make use of their wings. I have seen hundreds of chickens picking Sunday breakfast between the rails of the C. P. R. tracks alongside the elevators at Cross, Sask. (about 7 miles west of here).

“When the season opens here these chickens will get a worse going over than when Uncle Sam gets into full action on Germany. When these chickens sit on the barns, eat with chickens in the yard, sit on telegraph and telephone poles, sit in the center of the railroad tracks in flocks of from 20 to 50, you can see what will happen when the season opens and pump guns get into action.”

BIRD PROTECTION AND DESTRUCTION IN EGYPT

WHEREVER Englishmen are found throughout the world who are charged with the government of lands and peoples, the wild birds and quadrupeds are sure to have strong champions at court, and are sure to receive the best protection that can be afforded. It is unnecessary to point out that in governing great masses of ignorant people by means of a few intelligent officials and a very small number of officers of the law, it is not always possible to cover the whole situation and invariably make the punishments fit the crime. But wherever he is, the British official tries to do his bit in the protection of wild life.

Early in the British management of the affairs of Egypt various British officers in the service of the Egyptian Government recognized the fact that the Valley of the Nile is a great highway for a huge volume of migratory bird life that annually traverses it forward and back on its way to and from Europe. These migratory birds consist chiefly of members of the passerine order, and through their destruction of insects are highly beneficial to agriculture. For many years they have been slaughtered in Italy during their migrations in ways that already have been fully described in "Our Vanishing Wild Life" and elsewhere.

Twenty years ago several British officers in the service of the Egyptian Government, and particularly Sir Alexander Baird, Dr. Walter Francis Innes Bey and Captain S. S. Flower, Director of the Egyptian Zoological Gardens at Giza, endeavored to secure the protection of the useful birds of Egypt. Not much definite progress was made until the late Field Marshal Lord Kitchener took the mat-

ter up, and Law No. 9 of 1912 was enacted. Captain Flower reports that "in most parts of the country this law has been loyally kept, and has resulted in a most gratifying increase in the numbers of many species of useful and beautiful birds, especially the rufous warbler, the hoopoe and the buff-backed egret.

"Many officials have personally taken up the subject and done good service to Egypt in seeing to the protection of the birds in the districts in which they worked; among many others, the following gentlemen have been especial benefactors to the country: F. J. L. Atterbury, Mr. J. L. Bonhote, Mr. G. C. Dudgeon, Mr. H. Hartshorne, Lt.-Col. H. C. B. Hopkinson Pasha, Col. G. G. A. Hunter Pasha, Major G. H. Malcolm, Mr. A. T. McKillop, Mr. M. J. Nicoll, the late Mr. W. Olphert, Miralai G. F. G. Purvis Bey, Miralai T. W. Russell Bey, Mr. J. D. Shepherd, Mr. T. L. Smith and Mr. G. E. Burnett-Stuart.

"But I regret to say that there are districts where the law has been constantly broken during the last few years. Grave responsibility lies on the local authorities of Damietta, Fuwa and Rosetta for their unpatriotic and uncivilized behavior in allowing the birds, which would otherwise benefit the whole of their own country and other countries, to be wantonly and very cruelly destroyed. It appears that the best method of stopping these illegal practices is to let the whole matter be publicly known, so that the people concerned may be educated to the error of their ways."

In a brochure published by the Ministry of Public Works of Egypt, Zoological Service publication No. 28, entitled "Bird Liming in Lower Egypt," Mr. J. Lewis Bonhote describes the nefarious and destructive industry of bird liming in the provinces of Damietta, Fuwa and Rosetta, which comprehend the best bird-hunting grounds of Lower Egypt. It is in these regions that the migratory insectivorous birds pause as soon as they cross the Mediterranean to rest and look for food. It is there that they are received

with great quantities of artificial bushes whose branches are covered with bird lime, and immense numbers of them are caught by the fellaheen. "There is a regular trade at Rosetta in small birds, . . . bundles of them being offered in the streets and on the station. They are mainly wheatears, pipits and warblers. They are bird-limed and snared and caught in large quantities for food. It is not a question of a few birds being killed, but of thousands daily—limed twigs all along the coast. They are a staple article of food in these parts. Apparently nobody here has ever made an attempt to enforce the regulations, but I am going to do so." (F. Atterbury, Rosetta, August, 1915.)

The price of the birds in Alexandria is 4 Turkish piastres per dozen, or about 20 cents; in Damietta, 2½ piastres per dozen, except rollers and large birds that fetch 1 piastre each.

In the three districts above there is a great dearth of British officials and British officers of the law. As a result, the native officials when sufficiently prodded by their superiors, make sporadic efforts to stop bird liming. It is stopped while the British official is on the spot; but immediately his back is turned and his absence reported, it breaks out again as virulently as before.

In view of the fact that British zoologists in the government service in Egypt now have turned the searchlight of publicity upon the bird-destroying practices that have been prevailing in Lower Egypt, we may expect a prompt end of the evil. Beyond question ways will be found to suppress the bird liming and bird snaring industry, and to suppress the sale of song birds for food. The bird protectors of the world may confidently count upon it that the bird liming evil which so long has been practiced in Lower Egypt very soon will receive its quietus, and be numbered with the things that were done to the birds during the Dark Ages.

THE ITALIAN BIRD NET IN NEW JERSEY

MANY ways and means are in operation for the taking of song birds for food without making a noise about it and attracting attention.

In "Our Vanishing Wild Life" (Scribner's Sons), we devoted a chapter to the Italian roccolo and its deadly invisible net. Now that silk net has appeared in the United States. On March 29, 1918, Mr. William C. Klein, Federal and State Game Warden in New Jersey, described to us in the following letter the capture of an Italian bird netter while in the act of operating three large silk nets in the capture of song birds. The report is as follows:

"I take pleasure in reporting to you the arrest by me on September 5, 1917, at the City of Clifton, N. J., of Martin Pinetti of Paterson, N. J., for capturing 25 chipping sparrows by the use of silk nets.

"This man had six nets in his possession, three of which were in use at the time I arrested him. He states it takes thirty-five days to make one net and the value of each net is \$30.

"He further states that he sells trapped song birds for 3c apiece and that on some days he makes as high as \$17 in this way.

"The accompanying photograph shows three nets in operation at the time of the arrest, which picture I took after I had him handcuffed, and before I took the nets down.

"The other photograph shows his complete outfit, consisting of a long bag for carrying the net poles, a leather satchel for the nets and birds, and also a vicious looking knife, which is 15 inches long over all.

“The method employed by Pinetti is to set the nets on the edge of a city dump or along a hedge row at the edge of a large field. When set at the dumps he walks along the edge until he is opposite the nets, he then walks very slowly across the dumps until about seventy-five yards in front of the nets. He then blows a very shrill whistle, which frightens the birds, and in their effort to escape they fly into the nets. He then goes along the nets and with his thumb nail crushes the birds’ skull. When these nets are set along a hedge row on the edge of a field his method is to walk in a zigzag line across the field with a long switch or carriage whip, beating the long grass. In their efforts to escape the frightened birds fly into the hedge row only to find themselves enmeshed in the nets.”

Moral for all game wardens: Look out for a long and slender bag, a satchel and the deadly silk net.

CHRONOLOGY OF IMPORTANT EVENTS IN WILD LIFE PROTECTION AND EXTERMINATION

From January 1, 1917 to January 1, 1920

1917

Jan. 1.—During the past sixteen months an awakening to the needs of wild life, and to duty in its protection, has taken place in New Mexico. Nine new protective associations have been formed, and four have been successfully promoted in Arizona. The stockmen of the Southwest have been aroused and enlisted in the general cause, and altogether an ideal spirit has been created for the real protection and increase of game. Much national work has been accomplished.

Sage grouse, bob-white, sheep and antelope are protected for long periods. The U. S. Forest Service has exercised a very powerful influence in behalf of wild life.

Feb. 14.—To the surprise and consternation of the League of Ohio Sportsmen, the Ohio legislature swept the quail shooters off their feet by placing the quail in the list of song-birds, for permanent protection. The vote in the State Senate was 31 to 1, and in the House of Representatives 120 to 14. This result was largely due to a series of powerful and truth-telling cartoons by W. A. Ireland, published in the *Columbus Dispatch*.

Feb. 26.—By act of Congress, Mount McKinley National Park was created, in Alaska, north of Mount McKinley, with an area of 2200 square miles.

March 5.—The legislature of Manitoba enacted a law providing an indefinite close season for all prairie chickens, grouse and quail of that province. While this period is indefinite, there seems to be an expectation that within a comparatively few years it will be possible to re-open the shooting of all the species now protected. [In 1920 it was reported that a marked increase in prairie chickens was apparent.]

Mar. 5.—The 527 skins of the greater bird of paradise seized at Laredo, Texas, arrived at the Zoological Park, a portion of them were immediately placed on exhibition, and many were distributed to museums for exhibition, in accordance with the authority conferred by the Treasury Department.

- March 17.—Important improvements were made in the wild life laws of Idaho. Sage grouse were given a closed season until August 15, 1922; quail shooting was closed until 1920; the bag limit on deer was reduced from 2 to 1; all big game killed must be tagged, and the regulations of the federal migratory bird law were made Idaho state law.
- March 24.—Montana extended the protection of mountain sheep and goats to 1922. The bag limit on deer was reduced from 2 to 1, and the hunting season was shortened to two weeks. All upland game birds throughout the state are protected, except for a brief open season of two weeks. Killing elk for their teeth or heads alone is made a felony.
- March 27.—The Nevada legislature enacted a series of new laws that represent a sweeping reform. All grouse and mountain quail are protected until 1922. Mountain sheep, goat and antelope are protected until 1930. The sale of game is prohibited, and the state bird laws are made to conform to the migratory bird law.
- March 29.—W. F. Parrott, of Waterloo, Iowa, and one of Iowa's foremost citizens, after having journeyed at his own expense from Waterloo to Des Moines to urge Senators to protect Iowa quail for five years to save those birds from extinction, was ejected from the Senate Chamber by the Sergeant-at-Arms through the efforts of two members, Senators Smith and Fraley, who invoked against him the long-disused anti-lobbying rule. His ejection was strongly resented by Lieut. Governor Moore, the majority of the Senators, and all the wild life defenders of Iowa.
- March 30.—The Iowa legislature unanimously passed a resolution tendering a sweeping apology to W. F. Parrott, of Waterloo, because its anti-lobbying rule was by two Senators invoked against a "gentleman who was employed by no special interest, and in no private matter whatever, but in what he regards as a public and humanitarian cause." After three sections of preamble highly complimentary to Mr. Parrott, the resolution appears as follows:
"RESOLVED: That the Senate herewith expresses its regrets that the rule should have been invoked against this estimable gentleman, and the Secretary of the Senate is directed to send a copy of the resolutions to the party referred to herein."
- March.—The Blair County (Penn.) Game, Fish and Forestry Association in its third annual report stated that 36 Mexican quail were received in March, in addition to 89 received late in 1916 for distribution the following year. Of the two shipments, containing 125 birds, only 37 were alive at spring time. In the opinion of the Association the climate is not suitable for these birds, and efforts for acclimatizing them are fruitless.
- April 5.—The Iowa legislature enacted a law, in spite of fierce opposition by State Game Warden Hinshaw and many "sportsmen," according five-year close seasons to quail and pinnated grouse throughout the state.

- April 10.—Senator Smith of Arizona, acting for Senator McLean, introduced in the Senate a bill designated as S. 1553, "to give effect to the convention between the United States and Great Britain for the protection of migratory birds concluded at Washington, August 16, 1916, and for other purposes." This bill became familiarly known as the enabling act of the treaty. The bill was referred to the Committee on Foreign Relations.
- April 11.—The New York State Senate by a vote of 28 to 15 passed the Robinson bill for the killing of stray and unlicensed cats. Every owner of a cat will be required to pay 25 cents for a license tag and 10 cents as a registration fee. The measure was strongly backed by the Conservation Commission as a protection against the destruction of birds by bird-hunting cats.
- April 20.—The Senate Committee on Foreign Relations favorably reported Senate bill 1553 and recommended that it be passed.
- April 30.—Hearings were held in New York City before Conservation Commissioner George D. Pratt on a petition presented by citizens of Long Island, asking that a five-year close season be given the quail of Long Island.
- May 11.—Delegate Charles A. Sulzer, of Alaska, introduced in the House of Representatives bill No. 4374, "to regulate the killing and sale of game animals in northern Alaska during the existing state of war." The bill was referred to the Committee on Territories.
- June 10.—Conservation Commissioner George D. Pratt, of New York, denied the petition of citizens resident on Long Island for a five-year close season on the quail of Long Island. Hearings on this petition had been held by the Conservation Commission in New York City on April 30 and at Riverhead, L. I., on May 7.
- June 15.—The Province of Saskatchewan, Canada, enacted a close season on sage grouse and other grouse, and also eliminated the open season on female moose.
- July 9.—Dauphin County, Pa., joined the other counties of Pennsylvania in filing petitions with the State Game Commission for the closing of their districts to the hunting of ruffed grouse for two years. The only two counties not filing petitions were Philadelphia and Delaware, the former because it has no hunting district, and the latter because it has no grouse. Delaware County, however, filed a petition to close the county to the hunting of ring-neck pheasants.
- July 10.—Charles Goodnight, pioneer breeder of buffaloes and buffalo hybrids and owner of the celebrated Goodnight herd in the Panhandle of Texas, wrote as follows to Mr. Edmund Seymour, President of the American Bison Society:
- "I have just returned from the Wichita Game Preserve where I was entertained by Mr. Rush, warden, and was shown thoroughly over the property, and I found, first, perfect order and splendid system, and the best buffalo herd, taken as a whole, that I have ever seen. This is saying a good deal, but I will stand by it."

- July 22.—For the first time in history the science of the breeding and preservation of game birds was added to the curriculum of a modern university. The passage of a bill by the New York state legislature made it possible for the New York State College of Agriculture of Cornell University to undertake the work, and the trustees agreed to accept, maintain and administer the farm "for the purpose of conducting practical experiments in and giving instruction on the breeding of game." It was also provided by the law that the farm should be conducted in close cooperation with the State Conservation Commission and its surplus product shall annually be placed at the disposal of the Commission.
- Aug. 17.—The following Order in Council was approved by the Lieutenant Governor of Ontario, converting Mr. Jack Miner's wild goose farm at Kingsville, Ontario, into a Canadian Game Preserve:
- "Upon the recommendation of the Honorable the Minister of Public Works and Highways, the Committee of Council advise that pursuant to the provisions of Section 8 (g) of the Ontario Game and Fisheries Act, that portion of the Township of South Gosfield, in the County of Essex, bounded on the South by the Second Concession, on the West by the McCain Road, on the North by the Fourth Concession and on the East by the Division Road, which includes the Miner Farm be set apart as a Crown Game Preserve, and the hunting, taking or killing of any game bird or animal in or upon such preserve be prohibited."
- Aug. 24.—The Northwest Game Act of Canada, relating particularly to the Northwest Territories, originally passed in 1916, to provide greater protection for the Barren Ground caribou and musk-ox, and to reserve special areas for the latter animal, was finally passed by the House of Commons at Ottawa, with some amendments. The Act will be administered by the Dominion Parks Branch.
- Aug. 29.—The Canadian government passed its enabling act to carry into effect the terms of "a certain convention between His Majesty and the United States of America for the protection of migratory birds in Canada and the United States."
- Nov. 8.—In the death of Miles W. Burford, of Silver City, New Mexico, first president of the New Mexico Game Protective Association, the Association and the sportsmen of the state lost a true friend and earnest worker in the cause of wild life protection.
- Nov. 20.—The heath hens sent by the Mass. State Game Commission to establish a new colony on the state game farm at Middle Island, Long Island, all died. Most of them dropped dead from their perches. The cause of death was thought to be due to intestinal tuberculosis.
- Dec. 11.—Delegate Charles A. Sulzer introduced in the House of Representatives a new bill, H. R. 7344, to take the place of H. R. 4374, introduced by him on May 11, 1917. Among other things the new

bill allowed the killing of cow caribou, and the cold storage and sale all the year of moose, caribou and white mountain sheep meat. The bill was referred to the Committee on Territories.

Dec. 17.—Mr. Zenas Crane, one of the subscribers to the Permanent Wild Life Protection Fund, died at his home at Dalton, Mass.

1918

Jan. 6.—The New York State Conservation Commission reported that during the month of November, 1917, the state game protectors scored a high record, having reported 501 violations of the game laws, only five of which resulted in acquittal. Two others were canceled and four were still under investigation. The remaining 490 cases yielded \$7,752.06 in fines.

Jan. 17.—The House Committee on Foreign Affairs rendered a favorable report on the enabling act for the migratory bird treaty and recommended that it be passed.

Feb. 5 and 6.—Hearings were held before the House Committee on Territories to consider House bill No. 7344, at which statements in support of the bill were made by Delegate Charles A. Sulzer, E. W. Nelson, Chief of the Biological Survey, Charles Sheldon, Vice-President of the Boone and Crockett Club, and Thomas Riggs, Jr., now governor of Alaska.

Feb. 26.—A second hearing was held by the Committee on Territories on the Sulzer bill (H. R. 7344), on which occasion statements were made by Charles A. Sulzer and Charles Sheldon in favor of the bill, and Belmore Browne, Marshall Scull, and W. T. Hornaday in opposition to the bill.

Mar. 5.—A third hearing was held by the Committee on Territories on the Sulzer bill, on which occasion Thomas Riggs, Jr., appeared and made a further statement in support of the bill.

Mar. 6.—C. L. Andrews, long a resident and an official in Alaska, reports in correspondence that the whales of Bering Sea and the north coast of Alaska are increasing in number. He states that for 15 or 20 years previous whale have been so scarce that few whalers have fitted out expeditions to pursue them and on account of the cessation of whale-hunting, the herds have slowly increased in numbers until now whale meat is a factor of native food as far up as Point Barrow.

Mar. 12.—At the annual meeting of the Royal Society for the Protection of Birds held at the Guildhall, Westminster, the gold medal of the Society was awarded to Dr. W. T. Hornaday and Dr. C. Gordon Hewitt for their work in connection with the migratory bird treaty between the United States and Canada.

Mar. 31.—Gov. Edge, of New Jersey, signed a bill, introduced by Assemblyman Tattersall, of Passaic County, making it illegal to kill or pursue birds or animals with the aid of automobiles. The penalty for violations of the act is \$50 for each offence.

- April 23.—A hearing was held before the Committee on the District of Columbia of the House of Representatives to consider H. R. No. 7360, introduced by Representative Graham of Illinois, to prohibit the sale of game in the District of Columbia.
- April 26.—Gov. Charles S. Whitman signed the bill giving the quail of New York, not including Long Island, an additional two-year close season. Some years ago the quail in certain parts of the state had become markedly decreased in numbers, so that in 1913 a five-year close season was provided. The new law thus provided a total of seven years continuous protection for New York's remnant of quails, but there is little reason to hope that the quail ever can recover sufficiently to justify further quail shooting.
- April 29.—Through the signature of Gov. Charles S. Whitman the cat bill recently passed by the legislature became a law. The new law reads in part as follows:
- “Any person over the age of twenty-one years who is the holder of a valid hunting and trapping license, may, and it shall be the duty of a game protector or other peace officer to, humanely destroy a cat at large found hunting or killing any bird protected by law or with a dead bird of any species protected by law in its possession; and no action for damages shall be maintained for such killing.”
- June 11.—The largest government-owned breeding-place for wild fowl, formerly called Mud Lake, and located in New Mexico, was named Lake Burford, in honor of Miles W. Burford, President of the New Mexico Game Protection Association, who died on Nov. 8, 1917. The change in the name of the lake was authorized by the National Geographic Board.
- June 14.—By order of the State Game Commission of Michigan, the hunting of ruffed grouse was prohibited for one year. The action met with the hearty support of the sportsmen of the state, many of whom urged that the closed season should cover a period of at least five years.
- June 23.—Charles E. Brewster, at one time connected with the law department of the Biological Survey, U. S. Department of Agriculture, died at Washington. He was a most energetic game protector, and was in the work continuously for 30 years. He collected much of the evidence which was used in the great Silz duck cases of both in New York and New Jersey; he broke up the quail shipping traffic in Kentucky and southwestern Virginia, took a hand in checking the duck traffic from Big Lake and took an active part in game protection work in Michigan, Pennsylvania and Texas.
- June 28 and 29.—The U. S. House of Representatives and Senate took final action on the migratory bird treaty enabling act and passed it. The vote in the House in favor of the bill was 237 to 49.
- July 3.—The President approved Senate bill 1553 to give effect to the migratory bird treaty.

July 31.—The President issued the proclamation of the migratory bird treaty and regulations.

July 31.—A special open season on ducks in five counties in California in which rice is extensively grown, was granted by the Secretary of Agriculture from Sept. 30 to October 15 inclusive. This action was taken after an investigation that disclosed the fact that extensive damage was being done to those rice crops by birds.

Aug. 26.—The U. S. Dept. of Agriculture issued its first Service and Regulatory Announcement under the terms of the migratory bird treaty and regulations.

Aug. 31.—By order of the New York State Conservation Commission the open season on grouse in the state, not including Long Island, was shortened, and the bag limit over the entire state was decreased from four to two birds per day, and from twenty to ten in the season. This decision by the Commission was reached after hearings had been held at New York City, Albany, Utica, Malone, Rochester, Elmira and Goshen, at which it was pointed out that a very serious shortage of ruffed grouse had existed in the state for the last three years. The chief causes for the decrease were given as cold, wet nesting-seasons which either prevented the eggs from hatching, or caused the death of the young birds; unusual inroads upon the grouse by vermin, especially foxes, goshawks and great horned owls, and increased hunting brought about by better roads and facilities for transportation, and the extensive use of automobiles in grouse hunting.

Oct. 25.—By Presidential proclamation certain amendments and additions to the migratory bird treaty and regulations were carried into effect.

Nov. 4.—Mrs. Russell Sage, one of the founders of the Permanent Wild Life Protection Fund, died at her home on Long Island. See notice in Part 1 of this volume.

Dec. 17.—J. Frank Callbreath, of Telegraph Creek, B. C., reported the following incident:

A Japanese restaurant keeper talked an Indian guide into killing a cow moose for him, telling him that he had a special license, etc. The Indian proceeded to kill the moose. He was caught, and the Game Warden, Mr. Evans, pushed the case until he was fined \$250.

Dec. 19.—The gold medal of the Permanent Wild Life Protection Fund was conferred on John M. Phillips, for 12 years a very active member of the State Game Commission of Pennsylvania, and a great force in the protection of wild life and forests. The presentation of the medal took place at the annual conservation dinner of the Wild Life League of Pennsylvania at the William Penn Hotel, Pittsburgh.

1919

Jan. 4.—The ranchers of Natrona County, Wyoming, organized to cooperate with the U. S. Biological Survey in the control of

- wolves, coyotes and bobcats, for which purpose a fund of \$8000 was raised.
- Jan. 6.—The death of Theodore Roosevelt removed from the field of wild life protection one of the most powerful and effective champions of that cause. See notice in Part I.
- Jan. 13.—Gov. Alfred E. Smith signed the bill amending the Conservation law of the state of New York so as to conform to the federal migratory bird law. In this connection the bag limit on geese and brant was reduced to cover only 8 of either species instead of 25 as formerly.
- Jan. .—At the annual dinner of the Boone and Crockett Club, of which Theodore Roosevelt was a member, the suggestion was made that the new Greater Sequoia National Park in California be called the Roosevelt National Park. A bill to that effect was introduced in Congress, immediately passed by the Senate and referred to the House of Representatives for action.
- Feb. 18 and 19.—Under the direction of the Commission of Conservation of Canada, in cooperation with its Advisory Board on Wild Life Protection, the first Canadian National Conference on the conservation of game, fur-bearing animals and other wild life, was held at Ottawa. At this conference the Campaigning Trustee of the Permanent Wild Life Protection Fund delivered an address entitled "The Rational Use of Game Animals."
- Mar. 9.—Mr. Frederick G. Bourne, one of the Founders of the Permanent Wild Life Protection Fund, died at his home at Oakhill, L. I. Mr. Bourne was President of the Singer Sewing Machine Company. See notice in Part I.
- Mar. 12.—The state of Washington took a backward step when acting Governor Hart signed Senate bill No. 28, known as the Phipps bill, which provided for the breeding and sale of wild game, including moose, caribou, elk, deer, otter, marten, mink and other wild animals or wild birds.
- April 10.—A hearing took place before the Committee on Fish and Game of the New York State Senate on the bill introduced by Assemblyman Everett to repeal the "buck law" and permit the killing of one deer of either sex. See "The Tragedy of New York's Buck Law," Part II.
- April 17.—Gov. Alfred E. Smith granted a hearing to a large delegation representing the various game protective organizations and allied interests who appeared against the Everett bill for the repeal of the buck law. In spite of the strong representations made, the Governor signed the bill in order that it might be tried for one season, as an experiment, for the correction of intolerable deer-hunting evils in the Adirondacks.
- May 9.—The Canadian Minister of the Interior, in a report to the Privy Council, recommended that a commission be appointed and authorized to study the subject of the domestication of the musk-ox in Canada. The commission appointed consisted of the following gentlemen: John Cunion Rutherford, James Stanley

McLean, James Bernard Harkin, Commissioner of Dominion Parks, and Vilhjalmur Stefansson.

- June 4.—In the Eastern District Court of Arkansas Federal Judge Jacob Treiber upheld the constitutionality of the migratory bird treaty act in an elaborate opinion handed down in the case of the United States vs. E. D. Thompson of Memphis, Tenn. This decision is one of the most important ever rendered as effecting the conservation of wild life. It will be recalled that in 1914, in the case of the United States vs. Harvey C. Shauver, Judge Treiber decided that the McLean migratory bird law, passed March 4, 1913, was unconstitutional.
- June 21.—Senator Knute Nelson introduced in the Senate bill No. 2182 for the creation of game sanctuaries in national forests. This new bill is identical with the original Chamberlain-Hayden bill introduced in January, 1916, and which died in the 65th Congress, solely through the opposition of Senator Smoot.
- June .—By an act of the Saskatchewan legislature an indefinite close season was declared on elk. This animal is now permanently protected throughout its entire range in Canada. This result has been largely brought about through the influence of an increasing number of persons interested in the preservation of the game of Canada, who have from time to time held conferences on the subject and whose recommendations have gradually been adopted by the various provincial legislatures.
- Aug. 10.—Dr. Joseph Kalbfus, for many years secretary of the State Game Commission of Pennsylvania, was killed in an accident near Sheffield, Pa. The automobile in which Dr. Kalbfus and Mr. E. A. Kelley, State Game Field Superintendent, were riding, was struck by a Pennsylvania Railroad train. The occupants of the car were thrown out and Dr. Kalbfus was killed almost instantly. For nearly twenty years Dr. Kalbfus had been one of the boldest and strongest fighters for the wild life of America, and he leaves behind him a long record of important victories. See note in Part I.
- Aug. 11.—Mr. Andrew Carnegie, a Founder of the Permanent Wild Life Protection Fund, died at his home, Shadowbrook, Lenox, Mass.
- Sept. 2.—Federal Judge George M. Bourquin, at Helena, Mont., in the case of the United States vs. Rockefeller, upheld the migratory bird treaty act as constitutional.
- Dec. 19.—The medal of the Pennsylvania Wild Life League was conferred on Hon. William E. Crow, a member of the Pennsylvania State Senate, for distinguished services to the wild life cause. The presentation took place at the annual dinner of the League at the William Penn Hotel, Pittsburgh.
- Dec. 31.—The Treasury Department advised that certain prohibited wild birds plumage which had been seized by customs officials in New York, and which certain dealers had requested should be sold by the government "for exportation," was ordered to be destroyed, excepting such portions of it as were to be used for scientific and educational purposes.

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THE WHITE MOUNTAIN SHEEP

This beautiful and rare animal annually in the open season north of 62° is slaughtered in Alaska for the markets, and is sold "to beat the beef monopoly," at Fairbanks, Nanina, and other places. Shall the sale of white sheep meat continue? Think of feeding railroad laborers and miners regularly on **THIS** fine game animal!



PERMANENT WILD LIFE PROTECTION FUND

BULLETIN No. 6

FEBRUARY 15, 1920

PUBLISHED FOR THE INFORMATION OF CONGRESS

A NEW GAME ACT FOR ALASKA FOR THE BETTER PROTECTION AND MORE RATIONAL UTILIZATION OF ALASKA'S GAME ANIMALS

By

WILLIAM T. HORNADAY, Sc.D., A.M.

Campaigning Trustee

“Nothing extenuate, nor set aught down in malice.”

The wild life of Alaska is not wholly ours, to dispose of as we please. It has been given to us IN TRUST. We must account for it to those who come after us and audit our records.

NEW YORK ZOOLOGICAL PARK

1920

THE PERMANENT WILD LIFE PROTECTION FUND

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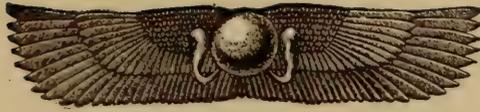
BURNING QUESTIONS.

Are the people of the United States willing that the moose, white mountain sheep and caribou of Alaska shall be slaughtered to feed railway laborers and miners on a commercial basis, everywhere north of Latitude 62, to "beat the beef trust?"

Are the people of Alaska willing?

Are the people of the United States and Alaska willing that the big game of Alaska shall be destroyed today, leaving nothing for the men of tomorrow save a province as barren of game as Siberia?

If The People are not willing, then we must at once come to a show-down, and frame and enact an entirely new and up-to-date game act for Alaska.



PERMANENT WILD LIFE PROTECTION FUND

BULLETIN No. 6

FEBRUARY 15, 1920

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A NEW GAME ACT FOR ALASKA

The lapse of time and changed conditions in Alaska now render it the bounden duty of the American people and their Congress to consider and act anew upon the business of practical game conservation in that Territory.

PUBLIC INTERESTS IN ALASKA

If newspaper reports are as true as they usually are, then it is a fact that some of the people of Alaska strongly resent the Territorial status of that province and demand full statehood. As night follows day, this insures resentment of "eastern" influence in the utilization of the wild game of Alaska. From Governor Riggs downward that feeling now exists and persists, particularly from Valdez northward.

Now, the natural impulse of the citizen of New York and elsewhere in The States would be to think and to say:

"If a *majority* of the people of Alaska really desire to exterminate their food supply of wild game, let them go ahead and do it. We can stand the consequences if they can."

But that is not the way to carry the white man's burden of conservation. Men who are chosen, either by natural

or artificial selection, to lead in promoting the welfare of America's heritage of wild life can not sit back in quiet comfort and say: "After me, the deluge!"

We can not, as good citizens, assume any attitudes of indifference toward the forests, fisheries, game and minerals of any portion of the public domain. It is a principle of criminal law that he who knowingly permits another person to commit a crime, without protest or effort at prevention, thereby becomes *particeps criminis*.

In wild countries it is the aggressive and domineering minority that first dictates the fate of the wild game. The white population of Alaska now numbers about 16,000, and it would be a perfectly easy matter for 100 determined men of that small company to dictate the game disposal policy of the entire province—provided all Alaskan game now were turned over to the sole control of people at present sojourning in that Territory.

Notwithstanding some Alaskan feeling to the contrary, there are vast and valuable interests in Alaska that the present people of that Territory do not in any wise own in fee simple, or in any manner hold subject to their disposal. The coming generations of Americans have in the vast Territory of Alaska many rights that we, as the guardians of their interests, can neither ignore, nor destroy, nor permit to be destroyed. Let it be understood now, once and for all time, that the wild life protectors of the United States are not going to lie down and passively permit the best interests of Alaskan wild life to go into the discard.

As one who believes sincerely both in the legitimate and sensible utilization of game and the protection of the rights of future Americans, the writer does not propose to be "read out of the party," as certain Alaskans already have attempted to do.

ALASKA'S NEED FOR WILD GAME FOOD.

Alaska is the only American possession in which a noteworthy proportion of the population is at any time appreciably dependent upon wild game as food. The great area of Alaska, the long land distances to be traversed, the difficulties of heavy transportation and in many districts the appalling scarcity of food, present difficulties such as no other land or people of ours encounter. It is in Alaska that a pound of wild meat attains 300 per cent. of importance. *It is Alaska and its people who will suffer most when the game has been exterminated!* Of all countries under our flag, Alaska most of all stands in need of perfect game laws, and perfect game law enforcement, in order to postpone as long as possible the evil days of complete extermination and meat hunger.

Really, does it not seem as if Alaskans should welcome friendly interest in their supply of game, and be the last people on earth to accuse every eastern conservationist of desiring to conserve the big game of Alaska "in order to kill it himself"? And yet there are Alaskans who would give up all claim for Federal aid in the protection of Alaskan game for the sole sake of securing the high privilege of doing what they please to the game of Alaska. Is it not strange?

When the last moose, the last sheep and the last caribou falls to wasteful hunters, what will feed the hungry white man mushing over the long trails of the interior? There may be those in Alaska and Canada who scoff at the idea that all the caribou may be killed, but we ask them to remember the millions of the American bison, the fur seal millions, and the billions of the passenger pigeon.

ATTITUDE OF ALASKANS TOWARD GAME CONSERVATION.

By Thomas W. Riggs, Jr., Governor.

“The attitude of Alaskans toward proper game laws is not antagonistic, as is generally considered by the uninformed. On the contrary, every right-thinking Alaskan is extremely jealous of the country’s game and wishes to see a true conservation effected, as without it game development must cease. Without game the small mining camps must suffer not only in health but in activity, and the trapper and the prospector will be driven from the hills. That the supply of game must be conserved is apparent to all, but the Government, by ill-advised laws, is hastening the extermination of the game. The sentiment of the people of Alaska will enforce laws when enacted by a body of men who are conversant with the country, but now, even when an arrest is made by a game warden, it is almost impossible to secure a conviction, owing to the difficulty of obtaining a jury not more or less sympathetic with the offender. To enforce laws to which the people of Alaska are hostile, I must draw attention to the fact that the force of game wardens is entirely inadequate.”—(From the Annual Report of the Governor of Alaska on the Alaska Game Law, 1918.)

THE FIRST ALASKAN GAME LAW.

The first law ever framed for the protection of Alaskan game was enacted by Congress in 1902, through the leadership of Representative John F. Lacey, of Iowa, father of the now famous “Lacey Act,” for the inter-state protection of birds. It originated in the ranks of “eastern sportsmen” and naturalists, and it was brought into existence through their initiative and their efforts. It was vigorously assisted by the New York Zoological Society and the Boone and Crockett Club. But for this strictly eastern impulse it is extremely probable that Alaska’s game act would have been deferred for a number of years, with corresponding slaughter of most valuable game.

It is not out of place now to recall this item of history, for the information of Alaskans who were young in 1902 and for the information of a few who now are manifesting impatience, and even resentment, over the fact that New York still is actively interested in seeing the big game of Alaska preserved on a continuing basis.

I will not undertake to report upon the efforts of others in 1902, because we can not recall any activities for Alaskan game that antedated those of two of the officers of the New York Zoological Society. Mr. Madison Grant busied himself with the drafting of a bill to be passed by Congress. Through the courtesy of the *New York Herald* we exhibit a facsimile of an illustrated propaganda article by the writer hereof that appeared in the *Herald* of Sunday, January 12, 1902. So far as we are aware, it was the first public demand for a comprehensive game act for Alaska, coupled with a definite program.

It seemed to us in 1902, as it also seems to us now, that the very scanty and thinly scattered white population of the enormous Territory of Alaska can not afford to furnish, at their sole cost and charge, adequate protection to the game of Alaska. We think that they should not be expected to furnish it unaided. While this subject is before us, the writer desires to declare to the Governor of Alaska that he (the writer) was the first person to go on record with a demand for a large annual Federal appropriation for the protection of Alaskan game, and that the initial amount asked for by him (in 1903) was \$15,000. It was not long before annual appropriations by Congress began to materialize, and now it begins to look as if the conservationists of New York again need to exert themselves to secure a substantial increase of the annual sum of \$25,000 that now marks the very inadequate limit of Federal aid.

The present Governor of Alaska, Mr. Thomas Riggs, Jr., has more than once said things in print reflecting upon the

attitude of eastern sportsmen toward the protection of game in Alaska, and now we respectfully remind him that those men now come very near to having some vested rights as conservators of the game of Alaska, because their efforts for his territory far antedate those of any Alaskan whom we know.

The original game act of 1902* purposely conferred upon the Secretary of Agriculture wide power in the framing of regulations to carry out unspecified details in game protection and register the spirit of the law. It was believed that the Federal Government could be trusted to do the right thing by the moose, sheep and caribou of Alaska, and there was no disposition to impose upon the people of Alaska, either native or white, any unnecessary restrictions. On the contrary, the framers of the bill accorded the native, the miner, the explorer and the prospector such special privileges, and such wide latitude, that we never yet have received any complaints from anyone speaking in their behalf. On the other hand, we have openly and repeatedly protested against the slaughter of cow moose, especially in the closed season, by lazy Indian epicures who profess not to be sustained and satisfied by the flesh of bull moose.

In the writer's article in the *New York Herald* of Jan. 12, 1902, published before the first Alaskan game bill was even in its swaddling clothes, we offered the following basic propositions as constituting the

DUTY OF CONGRESS.

Truly, it is the duty of Congress to preserve the valuable national property in large game now living in Alaska.

What we want at Washington is the immediate enactment of game laws for Alaska, based on plain common sense and a sincere determination to protect the game from extermination. After that we want in Alaska a few honest and resolute men with power to act, whose salaries and positions will depend upon their success as game protectors.

*See page —.

Every port and large settlement should have a paid game protector of the right sort. The sale of firearms to the natives should be prohibited.

Every hunter should be required to register and obtain a license.

Excessive killing should be prevented, or punished.

In every possible way the slaughter of hoofed game by natives should be discouraged, or prevented.

The killing of females or young should be severely punished.

Wherever any valuable species is threatened with early extinction, either through excessive hunting or trapping, its killing should be absolutely prohibited for ten years.

In 1902 caribou were so abundant in Alaska that in some minds there seemed to be a question whether it was not both right and desirable that the sale of caribou flesh should be provided for, subject to the regulations to be framed by the Government. So far as the writer is aware, the sale of sheep and moose meat never was regarded as a possibility, and so far as we are aware no question regarding its sale ever arose into general view.

The sale of game heads and antlers was explicitly forbidden, by Section 4 of the Law of 1902.

Concerning the sale of game meat, the game act of 1902 as it finally passed was far less explicit. It made the mistake of far-reaching ambiguity. *It authorized nothing definite*, and so far as game meat sales were concerned, it never mentioned them. The wording of the law that has stood unchanged for seventeen years is as follows:

"Section 4. Sale.—That it shall be unlawful for any person or persons at any time to sell or offer for sale any hides, skins or heads of any game animals or game birds in Alaska, or to sell, offer for sale, or purchase, or offer to purchase, any game animals or game birds, or parts thereof, during the time when the killing of such animals or birds is prohibited: Provided, That it shall be lawful for dealers having in possession game animals or game birds legally killed during the open season to dispose of the same within fifteen days after the close of said season."

There never was a time when the above treatment of the game-sale question in Alaska was adequate or right. All the restrictions on the sale of game that do exist were created by the regulations of the Department of Agriculture.

In the above proviso the word "sale" is not once mentioned. *Section 4 conveys no legal authority whatsoever for the sale of any game, at any time, by "dealers," or by any other persons!* The friends of the sale of game take the ground that whatever is not specifically forbidden by law is permitted, and therefore legal. While the above law may have been sufficient in 1902, it is far from being adequate now.

The only clause or sentence in the Alaskan game law that even hints at authorization for the sale of game is a grudging proviso that "dealers" may enjoy a brief privilege to "dispose of" game for fifteen days following the open season—but that privilege is NOT given DURING the open season! Now, if the contentions of the game-sale defenders is true, why was it ever necessary to convey permission to do a thing that *never had been forbidden?*

At all events, that disposal privilege, and the absence of prohibitive law, has been treated by the Department of Agriculture as lawful authority to sell great quantities of moose, sheep and caribou flesh during the open season for game hunting and fifteen days thereafter, everywhere north of Latitude 62 degrees, which is the Latitude of Mt. Wrangell.

The first "Regulations for the Protection of Game in Alaska," published by the Department of Agriculture on Aug. 22, 1903, and signed in facsimile by Secretary Wilson, say *not one word* regarding the sale of game! Just what was actually done in that year and in 1904 regarding sales, we do not know.

It seems that in 1908, and again in 1913, the Alaskan game act was amended and re-enacted. The writer never knew that such a proceeding was contemplated until long after the new act became a law. Briefly stated, the amendments were as follows, and they made no change whatever in Section 4:

"The Sixtieth Congress made important amendments to the original law. Under the new law (35 Stat., 102), approved May 11, 1908, Alaska is divided at latitude 62° into two game districts, with special seasons for each district; caribou on the Kenai Peninsula are protected until 1912; nonresidents hunting big game other than deer or goats, and residents desiring to export heads or hides of big game from Alaska are required to obtain licenses; authorization is also given for the employment of Wardens and registration of guides. All matters relating to the issue of licenses, employment of wardens, and the registration of guides are placed in charge of the governor of Alaska. Hereafter all correspondence on these subjects or concerning the shipment of heads for trophies should be addressed to the governor of Alaska, Juneau, Alaska. The Department of Agriculture will continue as heretofore to issue permits for the collection and shipment of specimens for scientific purposes and for live animals and birds for exhibition or propagation. Correspondence relating to these matters should be addressed to the Secretary of Agriculture, Washington, D. C."

THE SALE OF GAME IN ALASKA.

For a number of years the sale of game in Alaska has been proceeding, not by statutory authority save for fifteen days of each year, but in spite of default in prohibitory or even regulatory statutes. If the reader will refer to the original and also the existing game acts, the above statement will be found correct. The testimony given in 1919 before the House Committee on Territories literally astonished the natives of "the East." The present Governor of Alaska made the startling admission that in 1918, while he was one of the Federal commissioners for the building of the Alaska Central Railway northward from Seward to Fairbanks, about SIX THOUSAND POUNDS of game meat were bought and served to the RAILROAD LABORERS at work on the road.

And this at the rail head, with a railway line in operation to tidewater.

Are the people of the United States satisfied with this showing? Do they regard it as having been *necessary*?

One question to be settled now, and settled for all time is this:

Shall the stationary miners, canners, lumbermen and railroad builders of Alaska be fed on game?

The editor of the Valdez "*Miner*" contends that miners should and must have game. He says that it should be "legal to sell same twenty miles away (from Valdez) in a mining camp."

This is characteristically a miner's view of game—that it is a *commercial* necessity to the miner anywhere twenty miles from tidewater.

Now, this implied dependence of the miner upon wild game for food, and his consequent ability to work, leads straight to the logical conclusion that *without* game meat *the miner could not mine*, and that the interior mines would close because they could not be worked! In other words, if the Valdez *Miner* is right, the disappearance of game north of Latitude 62 will mean at least the partial collapse of the mining industry!!

Now, of all the hardy miners of Alaska, is there one real miner who will have the hardihood to say that he sincerely believes that when Alaskan game totally disappears, mining also will cease, because of the lack of food to sustain the miners?

The idea is preposterous.

At this very moment wild game meat is not half so much a necessity to the miners of Alaska as it is to the very poor of New York City.

THE SULZER BILL.

On May 11, 1917, Mr. Charles A. Sulzer, then seated as delegate from Alaska in the House of Representatives of the Sixty-fifth Congress, but afterward unseated, introduced a bill (H. R. 4374), "to regulate the killing and sale of game animals in Northern Alaska, etc." Its purpose was to legalize the sale of game north of Latitude 62 all



THE GIANT MOOSE OF ALASKA

Antlers in the National Collection of Heads and Horns, New York Zoological Park. Spread. 76 inches. Shall this grand animal be killed north of 62° to "beat the beef monopoly," and to be sold as food for railway laborers and miners?

the year around. On December 11, 1917, Mr. Sulzer introduced a substitute bill (H. R. 7344) which took the place of the first bill. On Feb. 5, 1918, the House Committee on Territories, Hon. William G. Houston, Chairman, gave its first hearing on Bill No. 7344.

The report of that hearing was promptly printed, and it produced a profound sensation. It revealed a degree of industry and lawlessness in the killing of valuable game, and of activity in the sale of game, that among many of the friends of Alaskan game had been quite unknown and unsuspected.

It was soon revealed that the real purpose of the Sulzer bill was not to feed frontier people who were starving, but to enable the population of the City of Fairbanks and other towns to side-step the "beef monopoly" by eating moose, sheep and caribou at a price lower than that of monopolistic beef!

In order to make the situation perfectly clear it is worth while to quote freely from the testimony given at the hearing on the Sulzer bill.

MR. CHARLES SHELDON.—Here is this vast wilderness, for thousands and thousands of miles around, with game abounding. The sheep are back in the mountains, and the caribou are back 100 or 125 miles from the districts where the people live. The people live mostly down on the river, except for a few mining camps. If you want me to take the time I can describe the whole thing to you. There in winter they are shut up, at the mercy of the beef monopoly; and about these camps are game, and with this whole enormous area just teeming with wild game, and only a few thousand people to avail themselves of it, do you think those people are going to sit there, and pay the prices charged by the monopoly for beef, when this wild game is near or in the hills? Of course not. And what has been the result? They have gone out and killed the game. We have had our game law, but in spite of that, in answer to the demands of the stomach and rather than be held up by the beef monopoly, they have simply gone out and killed game. When I was up there, and I venture to say it is not far different today, if they hauled a breaker of the game laws into Fairbanks they could not get judge or jury to convict him.

The opinion was so absolutely unanimous that the people were entitled to this relief from the beef monopoly that the officers of the law could not convict anybody for breaking the game laws, and they stopped trying to convict anybody.

This storing of meat led to great evils. They had to go up into the sheep country, and they went with dogs, and many sheep were fed to the dogs. And many fellows had nothing to do, and they would go out prospecting around, and they would take sheep down and store them on the Yukon River for high prices, and the first thing they knew warm weather would come and the sheep would all spoil. It led to a complete disregard of the law, and I venture the assertion that the same is pretty nearly true today. If you have a local community, as Alaska is, and the people are solidly of that point of view, they are going out to kill their meat and it doesn't make any difference what law you put up there. . . .

No. The people up there will not protect the game. The evils that have arisen from the conditions I have described they will not fight.—*Hearings on the Sulzer Bill*, pp. 18-19.

* * * * *

MR. LUNDEEN (interposing).—Do you favor this particular proposed bill?

MR. SHELDON.—Absolutely they must have that privilege. If this bill is enacted into law you will create a spirit of co-operation that will assist in carrying out its provisions. If this privilege is not accorded, the people will go in and kill the game anyhow. *Hearings*, p. 20.

* * * * *

MR. SHELDON.—There are a great many people there in comparison with the total population who can not go out and hunt game for meat. The vast majority of people can not engage in that work. They stay there in mining camps and have to buy meat. If they can not get meat for themselves they must pay the prices charged by the beef monopoly, as conditions are now. This plan of providing a greater supply of game meat during the war should help to relieve the beef monopoly situation.

* * * * *

MR. DOWELL (of the Committee).—This bill opens wide the door for the marketing of game. Whatever restrictions you may have in the bill for an open season, the door is thrown wide open, as I read it, for the marketing of game.

* * * * *

MR. RIGGS.—The selling of game is a very considerable item in the living expenses of the Indians. The Indians will not work as white men will work. The Indian is a trapper and fisherman. In the fall of the year he goes out and brings it in, irrespective of any law that you might have. This will give us a chance to keep track of the game that is killed by the Indians, and it will also give the Indian a legal right to dispose of his game after the 10th of December.

MR. VOIGT.—How many Indians are there in Alaska?

MR. RIGGS.—I think about 25,000. *The game country in question is confined, you might say, to the geographical center of Alaska.*

THE CHAIRMAN.—I want to ask what is the effect of the conditions that are now prevailing there, so far as the number of game animals is concerned. Are they increasing or decreasing?

MR. RIGGS.—From what I can learn or judge, they are increasing somewhat.

MR. RIGGS.—The people of the interior are in bad shape.

MR. JOHNSON.—That may be. But if they are, they do not need a license or anything else to go and get meat.

MR. RIGGS.—But the workmen can not go out and shoot meat.

MR. JOHNSON.—Is there much meat used in the construction of the Alaskan Railway north of 62?

MR. RIGGS.—*Yes; we use game.* I think that last year we used 6,000 pounds.

MR. JOHNSON.—Do you remember what you paid for it?

MR. RIGGS.—We paid from 15 to 25 cents a pound.

* * * * *

MR. RIGGS.—The market hunter is a game hog. He kills all the game that he can, and peddles it around under cover.

* * * * *

MR. DOWELL.—Now, how many companies operating there are in the meat business, or are engaged in the buying and selling of this wild game?

MR. RIGGS.—Four or five, probably.

MR. JOHNSON.—In all the country?

MR. RIGGS.—No sir; in interior Alaska. That might be considered along the Tanana River and its tributaries, and the lower Yukon. For the purpose of game, you might say it is along the Tanana River, because there is not much game except caribou lower down.

MR. DOWELL.—Is there any stable price for the purchase of this meat from those who bring it in?

MR. RIGGS.—No, sir.

MR. DOWELL.—Do they know generally what they are to receive for it?

MR. RIGGS.—Yes, sir. They try to buy it for 15 cents per pound, and if *the prospector* will not sell it for that, it depends on how badly they want it whether they will pay more.

MR. DOWELL.—You referred to what you termed the game hog. How extensively is he operating there?

MR. RIGGS.—Well, we never have been able to find out exactly, because his work is under cover. There was an instance that came to my attention not long ago when a man brought in 26 hindquarters of sheep. The supposition is that he fed the rest of those sheep to his dogs, or threw them away as waste. He was promptly arrested and fined, and his meat confiscated.

* * * * *

Twenty-six hindquarters mean 13 dead sheep. A whole herd of *Ovis dalli*—a species nowhere numerous, and a spe-

cies easily exterminated in any locality that is well hunted. Thus is going the beautiful white mountain sheep of Alaska. Apparently the regulations permit any meat-hunter to kill three head and sell them openly during the open season; and a "dealer" may "dispose" of any number of them "for 15 days thereafter."

End of the Sulzer Bill.—The Sulzer Bill was advocated by Delegate Sulzer, Thomas W. Riggs, Jr., now Governor of Alaska, Charles Sheldon, the Fairbanks (Alaska) Commercial Club and the Fairbanks National Defense Council.

It was opposed by the New York Zoological Society, the Permanent Wild Life Protection Fund, the Camp-Fire Club of America, the American Bison Society, the Wilderness Club of Philadelphia, the New Mexico and Albuquerque Game Protective Associations, and the Missouri Fish and Game League. The above organizations were only a tenth part of the opposition that would have lined up had there been any real contest.

The Sulzer Bill was killed in committee by the pronounced disapproval of the House Committee on Territories, aided by the opposition voiced at the hearing of February 26, 1918. Apparently all the members of the committee were well aware of the dangerous character of the bill, and were hostile to the whole idea of selling game meat in order to "beat the beef trust" of Fairbanks and Nanina.

DESTRUCTION OF GAME BY WOLVES.

From Juneau there now comes testimony regarding the serious slaughter of game by wolves, and a loud call for relief measures.

Mr. Wright Wenrich is a member of the Southeastern Alaska Fish and Game Club, and he is deeply interested in the protection, increase and proper utilization of Alaskan game. He displays more interest in the subject than any

other Alaskan whom I know. From a letter written by him, dated Juneau, March 31, 1918, I quote his views regarding the game-destroying animals of Alaska.

EXTRACTS FROM LETTER OF MR. WENRICH:

“The point that I want to make clear is that we have all of us, heretofore, been working on the game and fish proposition from the wrong end. We have been attempting to conserve game by limiting the amount man uses, when the predatory animals destroy many times what man uses, and as yet very little has been done to exterminate these predatory animals.

“The corrections which our Fish and Game Club of Southeastern Alaska made on the Sulzer bill was to include provisions whereby the wolves would be killed off at the same time that more game was taken. I am firmly of the opinion, Professor, that if the wolves were exterminated, our 65,000 population, including Indians, could not use the surplus nor the natural increase above the present amount, provided there was sufficient restriction placed on killing females and yearlings. . . .

“In the course of my travels, I have talked with many trappers and hunters and asked these disinterested parties their views and experiences. The wolves are not to be found in the inhabited parts of Alaska, neither is game to be found in abundance in the more thickly populated regions. When I say, in abundance, you understand I mean comparatively speaking.

“It is where sheep roam in bands of hundreds or more, where moose may be encountered many times in a day’s travel, where the caribou roam in herds of thousands that the wolves take their heavy toll of the big game. They exist, too, on some of the islands of Southeastern Alaska in considerable numbers.

“I do not believe a wolf can grow to its 100 and even 250 pounds of weight without consuming 1,000 pounds of meat yearly, which is worth not less than ten cents per pound to the inhabitants of Alaska.

“I will not burden you with examples of their number and the damage they do. I will cite one or two instances.

The Fish Brothers, trappers below Eagle, Alaska (I believe they get mail at Wood River or Charley Creek), told me in 1912 or 13 of a catch they made up one of the streams which lead towards the Upper Porcupine on the Yukon. I had heard previously of their big wolf killing. They had killed two moose. They heard the wolves calling from different directions, and knew that they dare not stay long enough to cache the moose. They poisoned the carcasses with strychnine. The following day they went back and skinned 60, and told me that they thought they must have killed 200 wolves, but many were torn and others had strayed away. Where they made this killing, it was so difficult to get in and out that they had left them in that winter, as their hides were not worth the trouble to get them out when they could bring out the more valuable furs which they had. These men are conservative, dependable men. If they had obeyed the law to the letter, they could not have poisoned one wolf. You probably know that wolves are not easily taken by bait or poison, when they once become wise to man's ways.

“When they could take such a number, the fact that those that remained were hungry enough to eat their comrades gives you some idea of their number. Your knowledge will give you an idea of the amount of caribou and moose they would have taken, and which those that remain continue to take daily, monthly, yearly, and eternally.

“I have had men in that region tell me that they had seen wolves estimated in bands of from 100 to 400. How much game will they destroy annually?

“In the winter of 1906-7 I was hunting up toward Mount McKinley, between the Nenana and the Toklat. I had four big buck sheep down, which would weigh not less than 500 pounds or even more, live weight. Not being able to get them out I flagged them with a dirty handkerchief and left them till morning. In the morning even the big horns had been dragged away, and the ground was beaten down like a pavement.

“If each one of those wolves had eaten five pounds of meat there must have been a hundred wolves. The fact that they had carried off the bones showed that they were so numerous that 500 pounds of meat did not appease their hunger.

“I think I am safe in saying that all the real hunters who get back in the wolf country will agree with me in concluding that the wolves take greater toll of the caribou than man, and many believe that their destruction of deer, moose and sheep equals or is greater than the amount man takes.

“This country is so vast and the amount of funds available so limited, that it seems almost useless to try to enforce the laws, however good or bad they may be. But we can easily offer a sufficient inducement by way of a bounty on all predatory animals, and it is not so difficult nor expensive to administer such a provision.

“Under our present bounty law, passed a year ago by the Territory, a wolf skin is brought to the postmaster in the little settled communities with the foreleg bone attached. The taker of the animal keeps the skin and the postmaster takes his affidavit, keeping the bone as evidence.

“It is easier to take a marten or a fox or almost any other kind of a fur animal, and the skin brings on an average more money than a wolf skin. Even with the bounty included there are many animals at which the trappers can make more money than he can at taking wolves, unless he is permitted to use poison. And in order to collect his bounty he must make oath that the animal was not poisoned. Would not such an unjust law drive a man to crime? The law against poison is not Territorial, but Federal.”

If the big wolves of Alaska really are increasing almost without let or hindrance, as Mr. Wenrich's information clearly implies, then already the wolf situation is very serious. Moose, sheep and caribou females each bear but one young, annually. The female wolf brings forth from four to seven cubs each year, and each adult wolf will require for its annual subsistence 30 mountain sheep, or 15 caribou, or 5 moose.

The moose and sheep of Alaska exist in small numbers; they are widely scattered, and all save the adult bull moose are easy prey to large wolf packs. Both those species can easily be exterminated by the unrestricted increase of the huge wolves of the North. The caribou exist in far greater numbers, the large herds are more effective in defense

against wolves, and the restless, migratory habits of the species tend to discourage and thwart the non-migratory wolves. They will last long after the last moose and white sheep have fallen before their two relentless foes, Man and Wolf.

The Alaskan wolf situation should be taken up by the Federal Government, probed to the bottom, and then the logical measures that need to be taken should be instantly applied and diligently maintained. The case seems very serious and urgent, and delays will prove deadly.

TWO ALASKAN DEMANDS.

I. *The Free Killing of Alaskan Brown Bears*—For some months past various residents of Alaska have been finding fault with the regulations by which the big Alaskan brown bears are protected against commercial killing for their skins and are reserved for pursuit by sportsmen. In justification of this demand it is cited that in certain localities the brown bears are very destructive to cattle. On this account certain people of Alaska call for the removal of the restrictions which now prevent the hide hunters from operating against those animals. The total number of these bears is so small that their extermination could be accomplished by hide-hunters in a very few years.

The demand for removing protection from the Alaskan brown bears for the reason that they are destructive to domestic flocks and herds would imply that stock raising has become an important industry in our arctic province. This implication—or fact—will be news to most people in the States. While it may be possible that domestic cattle have been killed on Kadiak Island, and perhaps in other places, by Alaskan brown bears, it is difficult to believe that the cattle industry is so important throughout the habitat of the brown bear group, which stretches all the way from Admiralty Island to the Kobuk River, and the southern end



ALASKAN BROWN BEAR

The Alaskan Brown Bears are the largest carnivorous animals now inhabiting the earth. Many residents of Alaska now are demanding that protection be withdrawn from them, in order that they may be killed for their hides.

of the Alaskan peninsula, as to constitute a determining factor in the fate of the most magnificent bears of the whole world.

While it may be true that in one or two localities on Kadiak Island, and possibly in other localities elsewhere, measures should be taken to reduce the number of brown bears, but the idea that the lid should be lifted from the whole brown bear group, throughout a stretch of a thousand miles of territory is, it seems to us, not justified by existing conditions. The Alaskan brown bears, of which there are about five species, are the grandest carnivorous animals now inhabiting the earth, and it may as well be now understood that no American zoologist or sportsman ever will sanction any sweeping commercial slaughter of the finest dangerous game of all America.

II. *The Slaughter of Eagles in Alaska*—For several years prominent Alaskans, beginning with ex-Governor Hoggett, have claimed that the people of Alaska are best able to decide what should be done with and unto the wild life of Alaska. This proposition always has been open to argument, and it is opened wider still by the action of Alaska in regard to the treatment accorded the eagles of that Territory.

Evidently the people of Alaska entertain no sentiment whatever, either patriotic or otherwise, toward the American eagle; or, for that matter, for any other eagle which inhabits the Territory. The Legislature of 1917 passed a law not only specially authorizing the killing of eagles, but placing a bounty of 50 cents on the head of each one in the Territory. At this distance it would seem that a bounty of 50 cents per head would be too small to stimulate eagle-killing as an industry; but that is far from being the case. It would seem that any price placed on the head of a wild bird or quadruped is sufficient to insure its wholesale destruction. It is reported that from April, 1917, to April,

1919, 5,600 eagles were killed in Alaska for the bounty of 50 cents per head.

The reason for the enactment of the bounty law was the alleged destructiveness of the eagles to game and fish. Now, so far as game and fish are concerned, it is in order to inquire whether the destruction of eagles for their benefit is any more necessary today than it was 100 years ago, except for the destruction of game and fish that have been wrought by man himself. Usually half a dozen vociferous kickers about the destructiveness of some wild bird species to some one of man's sovereign rights is by many regarded as "evidence" that the extermination of the offending species is justified and necessary. It is a curious commentary on the contention of some of the people of Alaska, regarding their ability to administer the game of Alaska without any aid from the States, that one of their first independent acts is an act of wholesale destruction, of a thoroughly exterminatory character.

In justice to the minority it should be noted that not all the people of Alaska are in favor of this destruction. For example, we know that Senator D. A. Sutherland is very much opposed to it, and that the last session of the Legislature was asked to repeal the law, but refused to do so.

"By their fruits ye shall know them."

V. IS GAME DECREASING IN ALASKA OR NOT?

There are a great many men who say that the big game of Alaska is rapidly decreasing, and they state their reasons for so thinking. There are a few persons who claim that Alaskan game is holding its own, and is not decreasing to an extent that can be called alarming. We hold that Alaskan big game is rapidly decreasing. We have sent out no questionnaire on the subject, because our general correspondence has seemed sufficient. We will quote here only from the published reports of the hearings on the Sulzer Bill.

TESTIMONY DECLARING DECREASE.

MR. E. W. NELSON.—Formerly there were enormous herds of caribou all through the coastal region of Bering Sea, around the entire north coast of Alaska, and back well into the interior. *These herds have been exterminated.* This was due to their being overkilled in those areas mainly *before* the present mining development took place.

MR. MERRITT.—Did the Indians do that?

MR. NELSON.—The Indians and Eskimos largely. They were killed mainly for the skins, which are used for clothing. The natives living in the areas where these herds were plentiful killed them in summer when the skins are in the best condition for clothing. They killed does and fawns especially, because their skins were lighter and better for the purpose, as well as in fall and winter when the animals were better for food. The result was extermination. Unless properly safeguarded the same fate would no doubt overtake the herds Mr. Riggs has described in the interior.

The decrease of game due to modern conditions is taking place in northern Canada. When the Canadian government awakened to the fact that their game was threatened with extinction in the north it began to take active steps to save it. Otherwise the great herds of caribou on the Arctic barrens would certainly disappear, as they have already done from the great areas in Canada. The decrease of game has everywhere followed the increasing occupation of North America. As the people increased in number, and as the means of getting at game were improved, and as the weapons used against them were improved, the game has been saved only where carefully safeguarded. *Hearings on the Sulzer Bill, p. 44.*

* * * * *

MR. NELSON.—It certainly appears to me that I have given some information as to the effect of *extinction of game over a large area in Alaska*, and the fact that game is now limited to certain districts. *Hearings, p. 54.*

* * * * *

MR. BELMORE BROWNE.—My experience leads me to believe very firmly, and I have a good many facts to back me up, that the extermination of Alaskan game has already gone a long way. The large game has already been exterminated to a large extent, and that is easily backed up by these certain facts.

When I first went to the Kenai Peninsula, back in 1900, there were numerous caribou on the peninsula, and now they are practically all gone. . . .

When I first went to the Susitna Valley, back in 1902, there were still numerous moose in the valley and some caribou. There was quite a heavy moose population. In 1912 I snowshoed through that entire Susitna Valley district for more than 150 miles and never saw but one big buck of any kind. I met one party of Indians who had been hunting for a month and they had found only one moose and killed it. *Hearings, p. —.*

VI. NEW CONDITIONS DEMAND NEW MEASURES.

At the present hour, six things are troubling the game situation in Alaska. Categorically, they are as follows:

- 1—The growing scarcity of game;
- 2—The destruction of game through the sale of game;
- 3—The destruction of game by wolves;
- 4—The waste of meat by those who kill game;
- 5—Utterly inadequate enforcement of the Alaskan game law, and
- 6—Insufficient annual appropriations for an adequate force of wardens.

Since the passage of the Alaskan game act in 1902 a great deal of water has run under the Alaskan bridge. Conditions today are very different from those that prevailed seventeen years ago. Today, with all its wildness, Alaska is far from being the raw territory it then was. New towns and cities have taken their places on the map, new lines of steam transit have been established, and the exploiters are going literally everywhere. The market hunter has been hard at work, and cold-storage plants are not only ready but anxious to handle, on a commercial basis, the moose, mountain sheep and caribou of our arctic province.

On one point even the men of Alaska and the men of "the East" are in accord. They agree that it is high time to make some improvements in the game situation; and the obvious conclusion is—a new game act for Alaska. Up to date, this idea has not taken concrete form in Alaska, but at this end of the long trail an effort has been made to establish certain principles as a foundation on which to build.

After much gathering of facts and opinions, and much correspondence with Alaskans, we formulated and submitted to Hon. James W. Wickersham, Alaskan delegate

to the House of Representatives, and to Mr. Wright Wenrich, a member of the Southeastern Alaska Fish and Game Club, of Juneau, the following list of bedrock principles offered as a foundation on which to build a new Alaskan game act. Our letter of transmittal to Judge Wickersham was as follows:

April 11, 1918.

HON. JAMES W. WICKERSHAM,

House of Representatives, Washington, D. C.

Dear Judge Wickersham:

The facts that have been brought to light, and the questions that have arisen through the introduction of the Sulzer Bill for the sale of Alaskan game, convince me that the necessity has arisen for an entirely new act for the protection and utilization of Alaskan game, and the destruction of game-destroying animals. This view is based upon a quantity of information that I have received from Alaskans who are sincerely desirous of doing the right thing by the game of that Territory, and of conserving and utilizing the game for the greatest good of the greatest number. There seems to be quite a demand for the destruction of wolves, through the initiative of the Federal Government, that are said to be seriously destroying valuable game.

I am convinced that a great deal of game lawfully killed in Alaska is being wasted; and I believe that regulations might be devised to prevent that waste and to secure a far greater degree of game utilization without any further game slaughter than now obtains.

Along with this I think that the sale of game is a matter that is now a subject for review, and if it is right that any sale of game should continue, that fact should be established along definite lines. My private opinion is that the sale of game is so destructive and exterminatory that it should resolutely be discontinued at once all over Alaska.

I beg you to look over the enclosed memoranda that is intended to reveal a state of existing facts, and the logical conclusions deducible from those facts. Faithfully yours,

W. T. HORNADAY.

Here follows the declaration of existing facts, and the proposals based thereon, which accompanied the above letter. The publication in Alaska of the "Proposed Basis" elicited in Valdez strong protests against the writer's presumption in attempting to benefit both the game and the people of Alaska.

VI. PROPOSED BASIS FOR A NEW ALASKAN GAME ACT.

April 11, 1918.

1. The present status of the game laws and the game of Alaska is unsatisfactory, and greatly in need of betterment.
2. A basis should be established that will provide for the best possible utilization of the game that is compatible with its proper conservation and continuance.
3. There is no single course, no matter how well pursued, that will adequately conserve the game of Alaska and provide for its best utilization.
4. The following factors may be set down as definite objects to be attained:

Just and wise laws to regulate the killing of game, by natives as well as by white hunters.

Strict provisions to prevent the waste of game meat, either by natives or white men.

Regulations to promote the full utilization of all game legally killed.

A complete discontinuance of the sale of game.

Regulations to provide for the wholesale killing of wolves, by poison or otherwise.

A game commissioner located in Alaska all the year around.

Funds for an adequate protective system, and an adequate number of game wardens.

No attacks to be made on any sea birds for their systematic destruction.

5. For the working out of an entirely new Alaskan game act, an unofficial committee of five persons to take testimony and evolve a comprehensive plan, would be the logical initiative. On this committee there should be two Alaskans, familiar with conditions, but in no way interested in the commercial exploitation of Alaskan game.

VII. A CONSTRUCTIVE PROGRAM.

We have not entered into a discussion of the whole game situation in Alaska. That subject is too wide for anything less than a volume. From an array of Alaskan books, articles, reports, letters and telegrams, and from conferences with many Alaskans, a great mass of facts now lies before us. Presumably other persons interested in Alaska are similarly provided.

Our interest in the wild life of Alaska began in 1880. Ever since that year, even though "Mr. Hornaday never has been to Alaska," he has followed with unflagging interest and industry the varying fortunes of the wild life of our great Arctic province.

As we pointed out at the beginning, certain new activities now demand new measures; and it seems that a new game act for all Alaska has become an urgent necessity. From the facts already in hand, certain logical conclusions rise into notice, and will now be put down. They, not I, propose the following program of procedure:

It is perfectly clear that there are today several conditions in the game situation in Alaska that stand in need of radical improvement. I think that those conditions and improvements may be listed, in the order of their importance, as follows:

PROGRAM.

1. There should now be a complete stoppage of the sale of game, everywhere in Alaska.
2. There now is necessary a legal system for the more thorough utilization of game, and less waste of game.
3. There should be created a system of regulated hunting by proxy, by which persons living in remote and difficult regions, and who positively require some wild meat in order to live in good health, may procure their rightful annual proportion of game.
4. All persons lawfully in possession of game meat for their own use should be permitted to preserve the same in any manner they choose, and consume it at any and all times throughout the year.
5. There should now be a stoppage of all wasteful game killing, and especially of cow moose, by Indians; and the killing of game by Indians and Eskimo should be strictly regulated.
6. There should be a full investigation of the destruction of game by wolves and other animals, to disclose the actual facts.
7. The destruction of game by wolves should be checked by a relentless war of extermination on the latter. The proper utilization of poison in the destruction of wolves should be determined, and provided for by regulation.
8. It being the bounden duty of the Federal Government and the Territory of Alaska jointly to protect the game of Alaska from over-killing and extermination, an adequate establishment of a game commissioner and a larger force of game wardens now has become necessary. The cost of that establishment, and the general cost of the protection of the game of Alaska, *should be borne equally by the Federal Government and the Ter-*



ALASKAN CARIBOU, BARREN GROUND GROUP

(*Rangifer Granti*)

The Caribou furnish the largest and most valuable wild meat supply of northern Alaska. If properly conserved and utilized, the Caribou herds should be available for food until they are finally replaced by herds of domesticated reindeer. If wastefully killed, the Caribou will disappear, even where now most numerous.

ritory of Alaska. This establishment should be supported upon an adequate scale, both as to salaries and expenses. There should be a paid deputy game warden in every settlement large enough to have a post-office.

9. The Territory of Alaska should be empowered to charge a license fee, to both resident and non-resident hunters, and apply the proceeds thereof to the cost of game protection to the Territory. No person should be permitted to hunt large game in Alaska without a license.
10. The Federal Government should retain its authority to close any area to hunting whenever the decrease of game therein seems to threaten the local extinction of a valuable species.

The First Step.—I repeat here my previous suggestion, that the best way to frame a new Alaskan game act is by the formation of a committee of five, to represent both the good-will of “the East” and the practical good sense of Alaska. Beyond question, the best citizens of Alaska are sincerely interested in making the most of the game of Alaska, without destroying the permanency of the supply. The letters of Mr. Wright Wenrich and the address of Mr. C. D. Garfield before the annual convention of the American Game Protective and Propagating Association (New York, March 5, 1918) are highly encouraging exhibits.

The drafting of a new Alaskan game act is not a one-man job. It requires the best thought of the best minds of both Alaska and the East, *including the Congress of the United States.* If a sane method is pursued it should easily be possible to produce a draft of a new game bill so carefully wrought out and approved in advance, and so free from objections, that it would be accepted by Congress without a prolonged struggle between rival interests or opposing factions.

The question is: are those who are most interested in the welfare of the people of Alaska sufficiently large-minded to adopt such a course?

If this suggestion is carried into effect by the creation of an unofficial Commission on Alaskan Game Laws, and the personnel thereof meets the approval of the Permanent Wild Life Protection Fund, that Fund will provide \$500 as a subscription toward the expenses of the Commission. Other interests would be expected to subscribe the necessary remainder.

It is most sincerely to be hoped that whenever a new game bill is drawn and perfected by "a conference of the powers," for the greatest good of the greatest number, Congress will PASS IT, promptly, and not require the friends of Alaska to lay siege to the Senate and the House through a long series of months, or to beg, hat in hand, for the action that should be given *quickly and generously*.

TEXT OF THE EXISTING ALASKAN GAME LAW.

INTRODUCTORY STATEMENTS FROM THE REPORT OF THE GOVERNOR OF ALASKA FOR 1915.

The first comprehensive law for the protection of game in Alaska was the act of June 7, 1902 (32 Stat., 327). Under this act regulations were promulgated by the Secretary of Agriculture, to take effect October 1, 1903, imposing local restrictions for the protection of caribou and walrus, modifying the seasons for waterfowl in certain localities, and prescribing rules for the shipment of trophies, specimens for scientific purposes, and five animals and birds for exhibition or propagation. In 1904 the regulations were amended by establishing three game districts, modifying the seasons for certain kinds of game, and prohibiting the use of dogs in hunting deer, moose, or caribou.

THE NEW LAW.

The Sixtieth Congress made important amendments to the original law. Under the new law (35 Stat., 102), approved May 11, 1908, Alaska is divided at latitude 62° into two game districts, with special seasons for each district; caribou on the Kenai Peninsula are protected until 1912; nonresidents hunting big game other than deer or goats, and residents desiring to export heads or hides of big game from Alaska are required to obtain licenses; authorization is also given for the employment of wardens and registration of guides. All matters relating to the issue of licenses, employment of wardens, and the registration of guides are placed in charge of the governor of Alaska. Hereafter all correspondence on these subjects or concerning the shipment of heads or trophies should be addressed to the governor of Alaska, Juneau, Alaska. The Department of Agriculture will continue as heretofore to issue permits for the collection and shipment of specimens for scientific purposes and for live animals and birds for exhibition or propagation. Correspondence relating to these matters should be addressed to the Secretary of Agriculture, Washington, D. C.

The law as amended reads as follows:

TEXT OF THE ALASKAN GAME ACT OF 1908, NOW IN FORCE.

[35 Stat. L., 102; Comp. Laws of Alaska, 1913, secs. 330-337.]

AN ACT to amend an act entitled "An act for the protection of game in Alaska, and for other purposes," approved June seventh, nineteen hundred and two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an act entitled "An act for the protection of game in Alaska, and for other purposes," approved June seventh, nineteen hundred and two, be amended to read as follows:

"From and after the passage of this act the wanton destruction of wild game animals or wild birds, except eagles, ravens, and cormorants, the destruction of nests and eggs of such birds, or the killing

of any wild birds, other than game birds, except eagles, for the purposes of selling the same or the skins or any part thereof, except as hereinafter provided, is hereby prohibited.

"Game defined.—The term 'game animals' shall include deer, moose, caribou, mountain sheep, mountain goats, brown bear, sea lions, and walrus. The term 'game birds' shall include waterfowl commonly known as ducks, geese, brant, and swans; shore birds, commonly known as plover, snipe, and curlew, and the several species of grouse and ptarmigan.

"Exemptions.—Nothing in this act shall affect any law now in force in Alaska relating to the fur seal, sea otter, or any fur-bearing animal or prevent the killing of any game animal or bird for food or clothing at any time by natives, or by miners or explorers, when in need of food; but the game animals or birds so killed during close season shall not be shipped or sold.

"SEC. 2. Season.—That it shall be unlawful for any person in Alaska to kill any wild game animals or birds, except during the season hereinafter provided: North of latitude sixty-two degrees, brown bear may be killed at any time; moose, caribou, sheep, walrus, and sea lions from August first to December tenth, both inclusive; south of latitude sixty-two degrees, moose, caribou, and mountain sheep from August twentieth to December thirty-first, both inclusive; brown bear from October first to July first, both inclusive; deer and mountain goats from April first to February first, both inclusive; grouse, ptarmigan, shore birds, and waterfowl from September first to March first, both inclusive: *Provided*, That no caribou shall be killed on the Kenai Peninsula before August twentieth, nineteen hundred and twelve: *And provided further*, That the Secretary of Agriculture is hereby authorized, whenever he shall deem it necessary for the preservation of game animals or birds, to make and publish rules and regulations prohibiting the sale of any game in any locality modifying the close seasons hereinbefore established, providing different close seasons for different parts of Alaska, placing further restrictions and limitations on the killing of such animals or birds in any given locality, or prohibiting killing entirely for a period not exceeding two years in such locality.

"SEC. 3. Number.—That it shall be unlawful for any person to kill any female or yearling moose or for any one person to kill in any one year more than the number specified of each of the following animals: Two moose, one walrus or sea lion, three caribou, three mountain sheep, three brown bear, or to kill or have in his possession in any one day more than twenty-five grouse or ptarmigan or twenty-five shore birds or waterfowl.

"Guns and boats.—That it shall be unlawful for any person at any time to hunt with dogs any of the game animals specified in this act; to use a shotgun larger than number ten gauge, or any gun other than that which can be fired from the shoulder; or to use steam launches or any boats other than those propelled by oars or paddles in the pursuit of game animals or birds.

"SEC. 4. Sale.—That it shall be unlawful for any person or persons at any time to sell or offer for sale any hides, skins, or heads of any game animals or game birds in Alaska, or to sell, offer for sale, or purchase, or offer to purchase, any game animals or game birds, or

parts thereof, during the time when the killing of such animals or birds is prohibited: *Provided*, That it shall be lawful for dealers having in possession game animals or game birds legally killed during the open season to dispose of the same within fifteen days after the close of said season.

“SEC. 5. *Licenses*.—That it shall be unlawful for any nonresident of Alaska to hunt any of the game animals protected by this act, except deer and goats, without first obtaining a hunting license, or to hunt on the Kenai Peninsula without a registered guide, and such license shall not be transferable and shall be valid only during the calendar year in which issued. Each applicant shall pay a fee of one hundred dollars for such license, unless he be a citizen of the United States, in which case he shall pay a fee of fifty dollars. Each license shall be accompanied by coupons authorizing the shipment of two moose if killed north of latitude sixty-two degrees, four deer, three caribou, three mountain sheep, three goats, and three brown bear, or any part of said animals, but no more of any one kind.

“A resident of Alaska desiring to export heads or trophies of any of the game animals mentioned in this act shall first obtain a shipping license, for which he shall pay a fee of \$40, permitting the shipment of heads or trophies of one moose, if killed north of latitude sixty-two degrees, four deer, two caribou, two sheep, two goats, and two brown bear, but no more of any one kind; or a shipping license, for which he shall pay a fee of \$10, permitting the shipment of a single head or trophy of caribou or sheep; or a shipping license, for which he shall pay a fee of \$5, permitting the shipment of a single head or trophy of any goat, deer, or brown bear. Any person wishing to ship moose killed south of latitude sixty-two degrees must first obtain a special shipping license for which he shall pay a fee of \$150, permitting the shipment of one moose, or any part thereof. Not more than one general license and two special moose licenses shall be issued to any one person in one year: *Provided*, That before any trophy shall be shipped from Alaska under the provisions of this act the person desiring to make such shipment shall first make and file with the customs office at the port where such shipment is to be made an affidavit to the effect that he has not violated any of the provisions of this act; that the trophy which he desires to ship has not been bought or purchased and has not been sold and is not being shipped for the purpose of being sold, and that he is the owner of the trophy which he desires to ship, and if the trophy is that of moose, whether the animal from which it was taken was killed north or south of latitude sixty-two degrees: *Provided further*, That any resident of Alaska prior to September first, nineteen hundred and eight, may without permit or license ship any head or trophy of any of the game animals herein mentioned upon filing an affidavit with the customs office at the port where such shipment is to be made that the animal from which said head or trophy was taken was killed prior to the passage of this act. Any affidavit required by the provisions of this act may be subscribed and sworn to before any customs officer or before any officer competent to administer an oath.

“The governor of Alaska is hereby authorized to issue licenses for hunting and shipping big game. On issuing a license he shall require the applicant to state whether the heads or trophies to be obtained or shipped under said license will pass through the ports of entry at

Seattle, Washington, Portland, Oregon, or San Francisco, California, and he shall forthwith notify the collector of customs at the proper port of entry as to the name of the holder of the license and the name and address of the consignee. All proceeds from licenses, except \$1 from each fee, which shall be retained by the clerk issuing the license to cover the cost of printing and issue, shall be paid into the Treasury of the United States as miscellaneous receipts; the amount necessary for the enforcement of this act shall be estimated for annually by the Agriculture Department and appropriated for including the employment and salaries to be paid to game wardens herein authorized. And the governor shall annually make a detailed and itemized report to the Secretary of Agriculture, in which he shall state the number and kind of licenses issued, the money received, which report shall also include a full statement of all trophies exported and all animals and birds exported for any purpose.

“And the governor of Alaska is further authorized to employ game wardens, to make regulations for the registration and employment of guides, and fix the rates for licensing guides and rates of compensation for guiding. Every person applying for a guide license shall, at the time of making such application, make and file with the person issuing such license an affidavit to the effect that he will obey all the conditions of this act and of the regulations thereunder, that he will not violate any of the game laws or regulations of Alaska, and that he will report all violations of such laws and regulations that come to his knowledge. Any American citizen or native of Alaska, of good character, upon compliance with the requirements of this act, shall be entitled to a guide license. Any guide who shall fail or refuse to report any violation of this act, or who shall himself violate any of the provisions of this act, shall have his license revoked, and in addition shall be liable to the penalty provided in section seven of this act, and shall be ineligible to act as guide for a period of five years from the date of conviction.

“SEC. 6. That it shall be unlawful for any persons, firm, or corporation, or their officers or agents, to deliver to any common carrier, or for the owner, agent, or master of any vessel, or for any other person, to receive for shipment or have in possession with intent to ship out of Alaska, any wild birds, except eagles, or parts thereof, or any heads, hides, or carcasses of brown bear, caribou, deer, moose, mountain sheep, or mountain goats, or parts thereof, unless said heads, hides, or carcasses are accompanied by the required license or coupon and by a copy of the affidavit required by section five of this act: *Provided*, That nothing in this act shall be construed to prevent the collection of specimens for scientific purposes, the capture or shipment of live animals and birds for exhibition or propagation, or the export from Alaska of specimens under permit from the Secretary of Agriculture, and under such restrictions and limitations as he may prescribe and publish.

“It shall be the duty of the collector of customs at Seattle, Portland, and San Francisco to keep strict account of all consignments of game animals received from Alaska, and no consignment of game shall be entered until due notice thereof has been received from the governor of Alaska or the Secretary of Agriculture, and found to agree with the name and address on the shipment. In case consignments arrive without license they shall be detained for sixty days, and if a license

be not then produced said consignments shall be forfeited to the United States and shall be delivered by the collector of customs to the United States marshal of the district for such disposition as the court may direct.

"SEC. 7. *Penalties.*—That any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall forfeit to the United States all game or birds in his possession, and all guns, traps, nets, or boats used in killing or capturing said game or birds, and shall be punished for each offense by a fine of not more than two hundred dollars or imprisonment not more than three months, or by both such fine and imprisonment, in the discretion of the court. Any person making any false or untrue statements in any affidavit required by this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall forfeit to the United States all trophies in his possession, and shall be punished by a fine in any sum not more than two hundred dollars or imprisonment not more than three months, or by both such fine and imprisonment, in the discretion of the court.

"*Enforcement.*—It is hereby made the duty of all marshals and deputy marshals, collectors or deputy collectors of customs, all officers of revenue cutters, and all game wardens to assist in the enforcement of this act. Any marshal, deputy marshal, or warden in or out of Alaska may arrest without warrant any person found violating any of the provisions of this act or any of the regulations herein provided, and may seize any game, birds, or hides, and any traps, nets, guns, boats, or other paraphernalia used in the capture of such game or birds and found in the possession of said person in or out of Alaska, and any collector or deputy collector of customs, or warden, or licensed guide, or any person authorized in writing by a marshal shall have the power above provided to arrest persons found violating this act or said regulations and seize said property without warrant to keep and deliver the same to a marshal or a deputy marshal. It shall be the duty of the Secretary of the Treasury, upon request of the governor or Secretary of Agriculture, to aid in carrying out the provisions of this act.

"SEC. 8. That all acts or parts of acts in conflict with the provisions of this act are hereby repealed."

Approved May 11, 1908.

AMENDMENT.

By act of Congress approved March 4, 1911 (36 Stat., 1360), an open season for game birds is provided in the region north of latitude 620. The act referred to reads as follows:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act it shall be lawful to kill grouse, ptarmigan, shore birds, and waterfowl from September first to March first, both inclusive, anywhere in the Territory of Alaska.*"

REGULATIONS OF THE DEPARTMENT OF AGRICULTURE

OF AUGUST 1, 1908

PERMITS FOR TROPHIES AND SCIENTIFIC SPECIMENS.

In accordance with the proviso in section 6 of the foregoing act, authorizing the Secretary of Agriculture to prescribe restrictions and limitations governing the collection and shipment of specimens for scientific purposes, and of live animals and birds for exhibition or propagation, the following regulations, dated August one, nineteen hundred and eight, were prescribed to take effect October one, nineteen hundred and eight:

1. PERMITS.

Hereafter the Department of Agriculture will not issue permits for the shipment of trophies, including heads or hides of game animals, since the new law requires that such trophies be shipped under regular hunting or shipping licenses issued by the governor of Alaska. Persons desiring to collect specimens of mammals, birds, nests, or eggs in Alaska for scientific purposes must satisfy the department that the specimens are intended for such purposes before permits will be issued, and must forward with the permit to the collector of customs at Seattle, Portland, or San Francisco a list showing the number of each kind of game collected under said permit before the specimens will be released from the customhouse. If several shipments are made under one permit, the permit should accompany the first consignment and a list of the game contained in each shipment mailed to the collector of customs at the time of such shipment. Permits will be issued only to regular representatives of public museums or, under exceptional circumstances, to persons who are known to be making special investigations.

Persons desiring to ship live animals or birds should obtain permits sufficiently in advance of shipment to avoid any delay when the consignments reach the customhouse.

Applicants should be careful to state in each case the region where specimens are to be collected and the probable port and date of shipment. All permits will expire on December 31 of the year of issue, but consignments actually shipped before such expiration may be admitted upon arrival at Seattle, Portland, or San Francisco.

2. SPECIMENS FOR SCIENTIFIC PURPOSES.

Packages containing specimens for scientific purposes offered for shipment must be marked "Specimens for scientific purposes," or words to like effect, and must bear the shipper's name and address. Inattention to these details will render packages subject to examination and detention by officers of the customs. Packages of specimens addressed to the United States Department of Agriculture, the Smithsonian Institution, or the United States National Museum, if properly marked, may be shipped without permit and without examination. Packages addressed to individuals, whether officers of executive departments or not, must be accompanied by permit.

3. LIVE ANIMALS AND BIRDS.

Live animals or birds for exhibition or propagation may be captured in a close season under permit only, and shipments must be accompanied by permits except as stated in regulation 4. Consignments offered for shipment without permit will not be refused transportation, but may be forwarded to Seattle, Portland, or San Francisco and held there at owner's risk and expense until permits are obtained.

4. PARKS EXCEPTED.

Live animals (not exceeding 10 in one consignment) and live birds (not exceeding 25 in one consignment) may be shipped without permit to the following public zoological parks, if shipped directly to said parks and not to some agent:

Golden Gate Park, San Francisco.
Lincoln Park, Chicago.
Menagerie of Central Park, New York.
National Zoological Park, Washington.
New York Zoological Society, New York City.
Zoological Society, Philadelphia.

Consignments for these parks which exceed the above-mentioned limits must be accompanied by regular permits in all cases.

5. RESERVED RIGHTS OF DEPARTMENT.

The department expressly reserves the right to examine at Seattle, Portland, or San Francisco any or all specimens, live game animals, or game birds from Alaska, whether shipped as personal baggage or otherwise; to detain, if necessary, at said ports any consignment of game animals or birds or any part thereof not forwarded in conformity with these regulations, and to require the return of the same either to original port of shipment or their delivery to the United States marshal for disposition in accordance with the provisions of sections 6 and 7 of the act. Owners and masters of vessels will accept all consignments subject to these conditions. In case of return, all expenses of reshipment will be paid by the vessel transporting the goods from Alaska; and the master of said vessel must file at Seattle, Portland, or San Francisco a customs receipt for all goods returned to Alaska.

6. EXAMINATION OF SHIPMENTS.

Specimens or live animals and birds arriving at Seattle or San Francisco, not covered by permits or shipped contrary to these regulations, will be held for examination by officers of the customs, promptly reported, and released only upon instructions from the Treasury Department; provided that all goods not released within 60 days after arrival shall be returned to the port of shipment (at the expense of the vessel bringing the same) for disposition in accordance with the provisions of sections 6 and 7 of the act.

All previous regulations and all special rulings of the department in conflict with these regulations are hereby revoked.

SERVICE AND REGULATORY ANNOUNCEMENTS.

REGULATIONS FOR THE PROTECTION OF MOOSE AND SHEEP IN ALASKA.

[Issued Mar. 31, 1914.]

By virtue of the authority conferred on the Secretary of Agriculture by section 2 of the Alaska game law (35 Stat., 102), approved May 11, 1908, which in part provides—

“That the Secretary of Agriculture is hereby authorized, whenever he shall deem it necessary for the preservation of game animals or birds, to make and publish rules and regulations prohibiting the sale of any game in any locality modifying the close season hereinbefore established, providing different close seasons for different parts of Alaska, placing further restrictions and limitations on the killing of such animals or birds in any given locality, or prohibiting killing entirely for a period not exceeding two years in such locality”—the following regulations additional to those of August 1, 1908, July 1, 1912, December 9, 1912, and July 23, 1913, are hereby promulgated to take effect April 1 1914:

REGULATION 1. *Killing moose in southeastern Alaska.*—The killing of moose in southeastern Alaska, east or south of the Lynn Canal, is hereby prohibited until April 1, 1916.

REGULATION 2. *Killing mountain sheep on the Kenai Peninsula.*—The killing of mountain sheep in the eastern part of the Kenai Peninsula, east of longitude 150° (the location of which is indicated approximately by a north and south line passing through the Stalter Place on the Kenai River), is hereby prohibited until April 1, 1916.

D. F. HOUSTON, *Secretary of Agriculture.*

AMENDMENT OF REGULATIONS FOR THE PROTECTION OF DEER, MOOSE, CARIBOU, SHEEP, AND MOUNTAIN GOATS IN ALASKA.

[Issued July 19, 1915.]

By virtue of the authority conferred upon the Secretary of Agriculture by section 2 of the act of May 11, 1908 (35 Stat., 102), entitled “An act to amend an act entitled ‘An act for the protection of game in Alaska, and for other purposes,’ approved June 7, 1902,” regulations 2 and 3 of the “Regulations for the protection of deer, moose, caribou, sheep, and mountain goats in Alaska,” made and published July 14, 1914, are hereby amended, effective on and after August 1, 1915, so as to read as follows:

“**REGULATION 2.** *Limits.*—The number of deer killed by any one person during the open season in southeastern Alaska is hereby limited to three.

“**REGULATION 3.** *Sale.*—The sale of deer carcasses in southern Alaska is hereby suspended until August 1, 1916.”

In testimony whereof, I have hereunto set my hand and official seal this 30th day of June, 1915.

D. F. HOUSTON, *Secretary of Agriculture.*

LATEST REGULATIONS OF THE U. S. DEPARTMENT
OF AGRICULTURE FOR THE PROTECTION
OF GAME IN ALASKA (1919).

By virtue of the authority conferred upon the Secretary of Agriculture by section 2 of the act of May 11, 1908 (35 Stat., 103; Compiled Laws of Alaska, section 331) entitled "An act to amend an act entitled 'An act for the protection of game in Alaska, and for other purposes,' approved June 7, 1902," the following regulations for the protection of game in Alaska are made and published to take effect July 15, 1919:

REGULATION 1.—OPEN SEASON FOR DEER.

The killing of deer in southeastern Alaska east of longitude 141° is hereby limited to deer having horns not less than 3 inches long, and the season for killing such deer is limited to the period from August 15 to October 31, both dates inclusive.

REGULATION 2.—LIMITS.

The number of deer killed by any one person during the open season in southeastern Alaska east of longitude 141° is hereby limited to three.

REGULATION 3.—THE KILLING OF FEMALES AND YOUNG OF CERTAIN
ANIMALS.

The killing of female mountain sheep, female deer, mountain sheep lambs, mountain goat kids, and fawns of deer and caribou, south of the Arctic Circle is hereby prohibited.

REGULATION 4.—DEER ON CERTAIN ISLANDS.

The killing of deer on Kodiak Island and Long Island; on the islands of Hawkins, Hinchinbrook, and Montague, in Prince William Sound; and on the following islands in southeastern Alaska: Duke Island, near Dixon Inlet, Gravina Island, near Ketchikan, Kruzof Island, west of Sitka, San Juan Island and Suemez Island, near Klawak, and Zerembo Island, near Wrangell, is hereby prohibited until July 15, 1921.

REGULATION 5.—SALE OF DEER MEAT IN SOUTHEASTERN ALASKA.

The sale, directly or indirectly, of deer meat in southeastern Alaska east of longitude 141° is hereby prohibited; and no deer meat shall be procured for serving and served in any boarding house, cafe, cannery, eating house, hotel, mess house, or restaurant by the proprietor

thereof or his agent, in southeastern Alaska east of longitude 141°, and no deer meat or caribou meat shall be received or served on board any steamer or other vessel in the waters of the South Coast of Alaska between Unimak Pass and Dixon Inlet.

REGULATION 6.—SALE OF MEAT, CARCASSES, OR PARTS THEREOF OF MOOSE, CARIBOU, MOUNTAIN SHEEP, AND MOUNTAIN GOATS IN PARTS OF SOUTHERN ALASKA.

The sale, directly or indirectly, of the meat, carcasses, or parts thereof, of moose, caribou, mountain sheep, or mountain goats in Alaska south of the summit of the Chugatch or Coast Range Mountains including all of the Kenai Peninsula, and thence east to longitude 141°, and the shipping of the meat, carcasses, or parts thereof, of said animals, for sale from Anchorage, Seward, or other points on the Kenai Peninsula, is hereby prohibited; and no meat, carcasses, or parts thereof, of said animals shall be accepted for shipment to other points in Alaska unless accompanied by affidavit of the owner that they were not purchased and are not intended for sale.

The meat of moose, caribou, mountain sheep, or mountain goats shall not be procured for serving and served in any boarding house, café, cannery, eating house, hotel, mess house, or restaurant by the proprietor thereof or his agent in Alaska south of the summit of the Chugatch or Coast Range Mountains, including all of the Kenai Peninsula, and thence east to longitude 141°.

REGULATION 7.—HIRING HUNTERS PROHIBITED.

The hiring of any person, directly or indirectly, to kill or capture game birds or game animals for any boarding house, café, cannery, eating house, hotel, mess house, or restaurant in Alaska south of the Arctic Circle is hereby prohibited.

REGULATION 8.—HUNTING DEER OR MOOSE WITH ARTIFICIAL LIGHTS.

Hunting or killing deer or moose in southeastern Alaska with the aid of fires or with the use of jacklights, searchlights, or other artificial lights is prohibited.

REGULATION 9.—OPEN SEASON FOR MOUNTAIN GOATS.

The killing of mountain goats in southeastern Alaska east of longitude 141° on the Kenai Peninsula is hereby limited to the period from September 1 to October 31, both dates inclusive.

REGULATION 10.—KILLING OF CARIBOU AND MOUNTAIN SHEEP ON THE

KENAI PENINSULA.

The killing of caribou on the Kenai Peninsula is hereby prohibited until July 15, 1921.

The killing of mountain sheep in the eastern part of the Kenai Peninsula east of longitude 150° (the location of which is indicated by a north and south line passing through the Stalter Place on Kenai River) is hereby prohibited until July 15, 1921.

REGULATION 11.—KILLING GAME TO FEED DOGS OR FOXES.

No game animal shall be killed, and no such animal or the carcass or parts thereof shall be sold, purchased, or procured, for the purpose of feeding them to foxes or other fur-bearing animals in captivity or to dogs boarded for pay.

REGULATION 12.—PREVENTING DESTRUCTION OF GAME BY DOGS.

Killing or permitting the killing of moose, deer, caribou, mountain sheep, or mountain goats with dogs, permitting any of the said animals to be killed by dogs, or permitting dogs to hunt moose, deer, caribou, mountain sheep, or mountain goats, in Alaska south of the Arctic Circle is hereby prohibited. On the Kenai Peninsula no dogs shall be allowed to run at large or, unless accompanied by or under the immediate control of their owners or custodians, shall be allowed outside the immediate vicinity of the towns of Hope, Kenai, Roosevelt, Seldovia, Seward, and Sunrise. For the purposes of this regulation the immediate vicinity of the towns shall be considered to mean one mile in any direction from the post office.

On and after July 14, 1919, all regulations for the protection of game in Alaska made and published by the Secretary of Agriculture under authority of the Alaska game law prior to the regulations hereby made and published, except the regulations of August 1, 1908, relating to the collection of specimens for scientific purposes and the capture or shipment of live animals and birds for exhibition or propagation, and the export of specimens from Alaska, shall be and are hereby revoked.

In testimony whereof, I have hereunto set my hand and official seal in the District of Columbia, this 7th day of June, 1919.

[SEAL]

D. F. HOUSTON,
Secretary of Agriculture.

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