

CONSERVATION OF BIRD LIFE

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The wild life of America originally exceeded in abundance and variety that of any continent. For an unknown number of centuries the Indian depended upon this wild life for his existence without effect upon their number. Our early forefathers were scarcely less dependent than the Indian and many years passed before they were free from their dependence upon wild fowl and venison. Since the spread of the white men over the continent and especially since the days of the breech-loading and the magazine shot-gun, the game birds have rapidly decreased in number. Some as the Passenger Pigeon have become extinct, others as the Trumpeter Swan and Eskimo Curlew probably so. The situation regarding the so-called large game is equally as discouraging. Mr. Edward A. Osborne, Field Naturalist for the Permanent Wild Life Protection of America, in an article which appeared in the Youth's Companion during the past year (1926) makes this statement, "At the present time there is no longer any moose-hunting anywhere in the United States save in Wyoming for this year. There is no longer any antelope-hunting anywhere in the country. Hunting the white mountain goat is now extinct. The Arizona elk has been exterminated along with the California grizzly bear. Caribou-hunting has ceased in every state. Only in the northwestern part of Wyoming is there any hunting of mountain sheep. Elk-hunting exists at the present time in three states instead of thirty-two as formerly." He has this to say regarding the game birds. "In nine states the hunting of prairie chickens is extinct. In four states woodcock are considered to be totally extinct; and this condition undoubtedly exists in several other states.—All hunting of wood duck has been prohibited to save if possible that species from the fate of so many other game birds. Indications point to the end of hunting the butter-ball duck within the course of the next two years. In twelve states indications pointing to the extinction of quail has made it necessary to have closed sea-

sons for long periods,—while the scarcity of ducks in twenty-four states has made it necessary to reduce the bag limits below what the Federal regulations calls for.”

President Roosevelt, speaking of birds in general, said at one time, “They should be saved because of utilitarian reasons; and moreover they should be saved because of reasons unconnected with any returns in dollars and cents. A grove of giant redwoods or sequoias should be kept just as we keep a great and beautiful cathedral. The extermination of the passenger pigeon meant that mankind was just so much poorer exactly as in the case of the Cathedral at Rheims.”

Legislation for the protection of birds dates back to the last of the eighteenth century, but it was not until well along in the nineteenth century that these laws made a satisfactory distinction between game and song-birds, the former to have open seasons, the latter to be protected at all times. In 1886, the Bird Protection Committee of the American Ornithologists' Union drew up a law, later termed the Model A. O. U. Law which was eventually adopted by forty states. This law included a definition of game-birds; a list of injurious birds; provided for the protection of song-birds and for their nests and eggs; provided, also, for permission to collect birds and their eggs for scientific purposes; and finally stated the fine for the violation of the law.

The Lacey Act, passed in 1900, was the first federal law dealing with bird protection and marks a milestone in bird legislation. By this law the Department of Agriculture was given authority in certain matters concerning the preservation of birds. The Secretary of Agriculture was given power to regulate the importation of foreign birds and other animals and thus to prohibit the introduction of injurious species. Interstate traffic in birds illegally killed in any state was also prohibited. This possibly paved the way for even more important federal bird legislation. In 1913 the Tariff Law contained a provision that prohibited the importation of feathers of wild birds into the United States. This same year Congress passed the Weeks-McLean Bill provid-

ing protection of migratory birds with open seasons for certain game-birds, placing the operation of the bill in the hands of the Department of Agriculture. This was followed in 1916 by the Treaty with Canada, a unique one in the history of the world, concerned with the welfare of migratory birds, and this in turn followed by the Enabling Act in 1918. In the latter act, the operation was again placed with the Department of Agriculture with the added responsibility of interfering with the rights of the individual states as little as would be consistent with the intent of the law. This treaty with its enabling act marks the most effective step made in legislation for the conservation of bird life. The advantages of such a federal law are well summarized by Mr. Gilbert Trafton in his book, *Bird Friends*. “First, it ensures a uniform protection. Under state laws a bird may be protected in one state and killed in another as was true of the robin. Second, it controls the open season so as to give better protection to game-birds. Under state legislation a bird might be shot from the time it left its home in the North all the way on its migration South.—Third, It means permanency of bird protection (since state laws were more subject to change when the legislatures met). Fourth, federal laws are generally better enforced and more feared than state laws and so more effective.”

During recent sessions of Congress, there has been introduced a bill known as the “Migratory Bird Refuge and Marshland Conservation Bill” and sometimes termed the “Public Shooting Ground Bill.” In substance this bill provides that all those who hunt migratory game-birds shall procure a federal hunting license costing one dollar, these licenses to be obtainable at any post office. Owners or renters of property and their families would need no such license provided they hunted on their own property only. Sixty percent of the income from these hunting licenses was to be used by the Government in acquiring and maintaining property, lands, or waters, these to be obtained by purchase, lease or gift. These properties were to be used as game refuges or as public shooting grounds. The idea back of the

measure was to acquire territory which would furnish nesting, feeding, and resting places for wild ducks and other game-birds. Lands already used for shooting purposes, not new ones, were planned to be acquired and these were to be carefully guarded and regulated to prevent illegal shooting. In spite of this bill being endorsed and backed by the Biological Survey, the National Associations of Audubon Societies, the American Game Protective and Propagation Association and other leading conservation societies in the country, it has not been passed. This measure deserves the support of all those interested in the protection of our wild game. In the editorials of *Bird-Lore* for March-April, 1926, the conviction is expressed that "this is the most important piece of legislation for the conservation of the wild fowl of America that is likely to come before our people for a generation."

Another measure, the "Copeland-Meritt Bill," introduced into Congress during the present session, provides for a general reduction in the bag limit for wild fowl from that previously allowed by the federal law. Curiously enough the same groups mentioned before as supporting the other measure are opposed to this one. In fact the National Association of Audubon Societies has published an anonymous article opposing such a reduction. The arguments set forth there are not always clear nor wholly logical. The statement is made that although the federal law permits a bag of twenty-five per day all states except six exercising their proper authority have "restricted the killing either by reducing seasons, excluding Sundays, or by reducing daily, weekly, or seasonal limits, or setting aside rest days on which ducks cannot legally be shot." By such means, the average limit is reduced to "approximately fifteen a day." The most potent argument is the statement that investigations of the Biological Survey indicate that the supply of wild fowl is sufficient so that no reduction in the game bag is necessary. The difficulty of enforcing such regulations regarding the bag limit is advanced and the statement made that the only effective method to reduce killing would be to reduce the open season, "or the hours

of shooting, or establishing rest days." Apparently through it all, the writer has the feeling that the policy of the Biological Survey is being criticized, and that it is necessary to oppose the proposed change in the bag limit in order to uphold the honor of that division. If sportsmen will be content with the smaller bag, and I believe that this would be true of the great majority of them, there should be no particular difficulty in enforcing such a regulation. If most states have already reduced the bag limit, similar action by the federal government would be in line with that of the states and tend to strengthen it. These last two acts should not be antagonistic to each other. Yet curiously enough such is the case and the result is a deadlock between the two. Unless it can be shown that the lowering of the bag limit would increase the number of the wild fowls beyond the limits of their food supply, in other words tending to over conservation, there seems to be no real reason why this measure should not be combined with the plan of bird refuges in conserving our wild game-birds.

Doubtless the Bureau of the Biological Survey, in spite of excellent and effective work, receives many criticisms impossible to avoid for decisions must be based on a careful study of the situation and made for the welfare of the majority. The difficulties involved are well illustrated by an article written by Mr. W. L. McAtee in the March-April number of the *Bird-Lore*, 1927. He relates that one of the workers in the Bureau who was doing field work in Texas found a difference of opinion as to whether or not the White-necked Raven should be protected. One man favored its protection because this bird was the only effective control for a certain species of injurious insect while across the river another man was eager to destroy the raven because it damaged his cantaloupes and truck crops. He goes on to point out that "a bird's general status as a wholly protected, a partially protected, or an unprotected species should depend on its general record at all seasons and in all localities, and this fundamental ranking for economic purposes should never be obscured by considerations as local or temporary aberrations

in behavior." The lesson is evident. The true friend of bird conservation should discourage hasty conclusions regarding the economic status of any species. Facts regarding it are available, in general, from the Biological Survey.

Efforts towards the establishment of local, state, or national parks as bird preserves or sanctuaries should be encouraged. Already over a hundred such refuges for birds and other animals have been set apart in the United States and its possessions. The movement started in South Dakota for the establishment of such parks for the preservation of natural conditions fits well into such a program of conservation and deserves whole hearted support.

Interest in bird life in general may be cultivated in a community by making bird baths and feeding stations and by putting up nesting boxes of various kinds to attract the birds. Such means are effective in getting the interest of boys in birds aroused in the right direction especially if he has some part in the making or the putting up of these things. Organizations such as the different dinner groups or women's clubs may do much in arousing this interest by promoting contests in building nesting boxes, feeding stands, or bird baths with appropriate prizes as a stimulus to take part in such a contest. The boy may be turned from a natural tendency to collect birds' eggs by getting him interested in making photographs of the nests and eggs or of the birds themselves. To do this will tax the patience and ingenuity of the boy far more than to shoot the bird or to take its nest and eggs. Exhibitions of such pictures sponsored by local organizations will help to arouse further interest along this line. The formation of bird clubs is another means that may well be employed in furthering bird conservation. These different measures, if rightly directed, should encourage the observance of laws, both federal and state, concerned with the preservation of birds and other animals.

Mr. Ernest Harold Baynes in his book *Wild Bird Guests* points out the effect on the mature life of the child when such methods are employed. "Most work of a public nature," he says, "is impractical for children but here is work in

which young people can be almost as useful as older ones and at the same time provide for themselves one of the sweetest and most satisfactory hobbies known to man. Work for birds tend to thoughtfulness and consideration,—it encourages appreciation and gratitude and a sense of justice and fair play,—it begets feelings of humanity, kindness, sympathy,—and unselfishness.—If the children once learn these things, they will have made a fair start towards good citizenship if they are not taught anything else."

Dr. William T. Hornaday has said that "a fauna once destroyed cannot be returned." Bird conservation is not a new movement. It has reached the stage where the effects of different methods can be studied, but the task is not complete, and it lies with the citizens of today to see to it that the coming generations share in the enjoyment and pleasure that our bird life affords.

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