

Game Laws Reach Back Into Antiquity: Pioneers Strict In Wildlife Views

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One of the practices used in game management to help produce sustained annual crops of wildlife is that of regulations controlling the harvest of the resource. Regulations or game laws are by no means a new practice exercised by man, as controlling measures of taking wildlife date back many, many decades.

It is in the Bible that we find what is probably the first written restriction on the taking of game. The restriction is one of the statutes and judgments composing the Mosaic Law, and decrees that: "If a bird's nest chance to be before thee in the way, in any tree, or on the ground, whether they be young ones, or eggs, thou shalt not take the dam with the young: But thou shalt in any wise let the dam go, and take the young to thee: That it may be well with thee, and that thou mayest prolong thy days." (Deuteronomy 22: 6, 7). Conservation of the "dam" or hen as breeding stock being the intent of the phraseology.

A record of game management for conservation purposes is found to have occurred in the Mongol Empire, and Marco Polo in describing his travels across Asia, tells of the game laws of Kublai, The Great Khan.

"There is an order which prohibits every person throughout all countries subject to the Great Khan, from daring to kill hares, roebucks, fallow deer, stags, or other animals of that kind, or any large birds, between the months of March and October. This is that they may increase and multiply; and as the breach of this order is attended with punishment, game of every description increases prodigiously."

Hunting controls in Europe began as customs rather than laws. One of these customs was given by Edward, second Duke of York, Master of Game, to his cousin, Henry IV, during the early years of the 14th Century. This custom was that the hart or red-deer season opened at St. John's tide (June 24) and ended on Holyrood Day (September 14). This was the period when an animal was believed to be the fattest and best fit for meat.

Henry VIII, ruled that waterfowl and their eggs would be protected from May 31 to August 31, and later James I, afforded this protection to the pheasants and partridges. It is believed that some species of non-game birds in Europe were protected about 1831.

Another hunting custom during Edward's time was one somewhat equivalent to our buck law. It stated that "warrantable hart"

was defined as a "hart of ten" (points). Lesser stags (staggards), yearlings (bullocks), fawns (calves), and does (hinds), were either not killed at all, or only during the great drives where the King participated.

Edward further pointed out that "beyond the sea" (France), deer were taken, "with hounds, with grey hounds, and with nets, and with cords, and other harness, with pits, and with shot (bows) and other gins (traps). . . . But in England, they are not slain except with hounds or with shot."

In the far north early hunting laws were practiced by the exercising of taboos. Among the Eskimos almost every detail of hunting and of utilizing the catch was regulated by these taboos. The basis of the taboos was that land animals, like the caribou, and water animals, like seal, walrus and whale, would be kept separate. It was the practice of these people not to eat caribou and seal on the same day. The Eskimos also had seasonal restrictions of preserving one species of game when another was more conveniently at hand. The use of fuel gathered from the ground, such as faggots and moss, was prohibited when a whale was captured, for the whale oil was used as fuel.

In America the first of the game laws is usually recognized to be that passed by Connecticut in 1677. It regulated seasons and prohibited the export of game, hides and skins. By 1700 all of the original colonies, except Georgia, had established closed seasons to protect deer. William III, through the Act of the Virginia Assembly in

1699, prohibited the killing of deer from January to July, the fine for violation being 500 pounds of tobacco. In 1730 Maryland followed suit, the fine being 400 pounds of tobacco. It was also ruled that the hunting of deer by firelight was unlawful. The doe was protected by Virginia in 1738, and running of deer with hounds was prohibited by New York in 1788.

Closed seasons on birds were first set by New York, and in 1708 that state protected the heath hen (now extinct), ruffed grouse, quail, and wild turkey; in 1791 it added the woodcock. Some of the colonists thought furbearers were also threatened and Vermont in 1797 placed a closed season on muskrats, although it was lifted four years later and reestablished in 1812.

Of course, laws are of no value without enforcement and in Massachusetts there were deer wardens as early as 1739. This was true of New Hampshire two years later.

The enactment of state game laws followed close on the heels of the retreating frontier, reaching the Pacific in California in 1852. By 1880 all of the states had game laws. The first bag limit (25 prairie chickens per day) appeared in Iowa in 1878.

Market hunting was first tabooed by Arkansas in 1875.

A hunting license was first required by New York in 1864; a non-resident license by New Jersey in 1864.

Federal supervision of interstate game began with the Lacey Act, which in 1900 prohibited interstate

commerce in illegal game. This was followed by our present migratory bird bills, which were introduced in 1904 and 1908, but not passed until 1913 and they were finally anchored to the Constitution by the Canadian treaty of 1916.

In the state of Oregon, the first game law was believed to have been established in 1872, but it was not until 1893 that the first fish and game protector was appointed. This man, a Mr. Hollister McGuire, was to enforce the game laws throughout the entire state. In 1895, Oregon established the first closure on beaver and placed the first limit on upland game birds. In 1899, a L. V. W. Quimby was appointed as the state game and forestry protector. Quimby was allotted a sum of \$2,200 to carry on his activities and from this money he had published 5,000 copies of the game laws of the state of distribution to the public.

During this year the first bag limit of five deer per season was established, the season running from July 15 to October 31. Also in 1899 Oregon established its first duck season and closed the season on elk, the elk season did not open until 1933. During this year 15 game law violators were apprehended and the total fines for the violations amounted to \$780.

The first bag limit on trout (125 per day) was established in 1901 and during this year the bag limit on ducks was 50 per day or 100 per week. Oregon's first hunting license was required in 1901 and a non-resident license sold for \$10. Commercial hunting of pheasants was allowed during the last

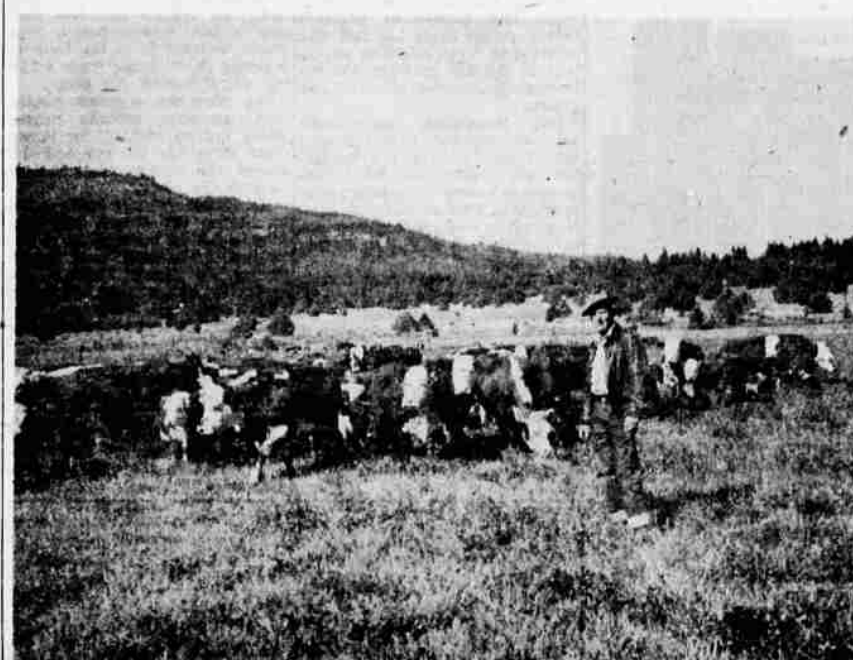
15 days of the season, which ran from October 1 to June 31, however, commercial or market hunting was brought to a close in Oregon in 1905. During 1901, deer hides were required to be tagged before they could be sold, 500 of these tags were made and 250 were issued.

In 1902, a new game officer was appointed, this was a man by the name of J. W. Baker.

Angling licenses were required in 1909 and sold for \$1. Resident hunting license cost was the same. The first buck law was also passed during this year.

In 1917, the state of Oregon had a working force of two game officers.

The Oregon State Police were given the responsibility of enforcing game laws in 1931 and at the end of the fiscal year of 1958 the game law enforcement division of the Oregon State Police was composed of 68 men. Also stationed in Oregon are four Federal Game Management agents, members of the U.S. Fish and Wildlife Service, whose duty it is to enforce the Federal laws as they pertain to fish and game.



DOUGLAS SMELCER, selected "Farmer of the Year - 1958" by the supervisors of Langel Valley Soil Conservation District, is shown here with part of his herd of cattle turned into one of his improved pastures. The development of this fine pasture is the result of applying several conservation practices; land leveling to improve the irrigation and drainage; subsoiling to improve the penetration of water and plant roots in the soil; seeding to adapt species of grasses and legumes; a well located drain ditch to remove the excess water; and last but not least using good management practices to maintain the stand.

Space Rates Apply Here

BOULDER, Colo. (UPI) — Scientists at Colorado University's High Altitude Observatory were long puzzled because an observatory in Czechoslovakia continually reported more solar flares—sun spots—than any other observatory in the world.

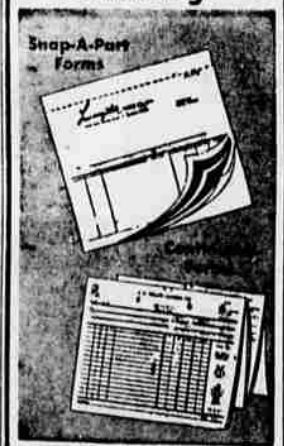
When Colorado's Harold Zirin embarked recently on a 13,000-mile tour of the Soviet Union and eastern Europe, he was asked to check up on the situation. He came back with this explanation:

"One scientist who observes solar flares much as we do is paid on the basis of the number and size of the flares he observes."

MIX-N-BAKE IDEA

NEW YORK (UPI)—Petit fours are easy to make at home from a 10½-ounce package of pound cake mix. Mix and bake cake according to package directions. Cool, cut into small squares and frost with 1 cup confectioners' sugar mixed to spreading consistency with maraschino cherry juice. Garnish each tiny cake with maraschino cherry halves or slices.

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