

American Game Laws.

IN so extensive and various a country as this it would be impossible to fix a date even so general as the English Twelfth of August, and the "opening of the season" has varied hopelessly for different regions and different types of game. There has been, nevertheless, an apparent disposition to make the event center somewhere about September, and it seems to be increasing in strength with the growing tendency to make the opening of a season compulsory, rather than conventional or traditional.

For years, probably rather for centuries, the general American feeling with regard to the edible portion of the wilder animals was one of indifference; the supply was abundant, and it was not the business of any one in particular to impose any restraints on the desire to use the supply either for pleasure or for profit. The unhappy results of this indifference are familiar. Every one was at liberty to kill at discretion; men shot, and snared, and seined as they saw fit. The contest was increasingly unequal. The swiftest and most acute of the game animals found it continually more difficult to gain places of security against the improved weapons and transportation of their pursuers; and even the fittest for survival had an increasingly precarious tenure of existence. Fools or selfish men, if they were able to buy a ticket on a far Western railway, were thereby enabled to appropriate to themselves that to which they really had no title, except in common with the millions who were not in position to assert their claims. "Sport" became a veneration for senseless and heartless massacre, which had almost done its work before any general notice was taken of it. It is a national disgrace that one of our few characteristic animals, the bison, has practically ceased to exist. But only those far-sighted men who have invoked the shield of law against the further course of this destruction can tell us how narrowly the caribou, the prairie-chicken, and the different varieties of game fish have escaped the fate of the bison.

As such results have opened the eyes of the people, the reign of unlicensed selfishness has come to an end, and we are entering upon the era of systematic protection for game. State after State is coming to recognize the fact that the game animals eat little that could be required for man, while they may become, under protection, an important part of the national larder; and the States are becoming as willing to grant such protection as they would to the fields or factories against similar acts of folly or ill-will. Parts of the year are marked off by statute, and during these periods the game animals are not to be injured, but are to enjoy a season for race recuperation. It is none the easier for them to find holes or corners of security against modern invention; but the law comes in to give them a time limit, within which the most active or most selfish of their pursuers must let them alone. The whole change of view has been a complete one. A little more than a century ago it seemed to Franklin the most natural thing possible to declare that, rather than submit to Parliamentary exaction, he would retire with his family "into the boundless woods of America, which are sure to afford freedom and subsistence to any one who can bait a hook or pull a trigger." Already there are not many places, at least between the Atlantic

and the Mississippi, where the patriot who should seek an indiscriminate subsistence in that way would be safe from arrest and punishment as a poacher.

The American "poacher," however, will always be a very different offender from his English prototype. All that the American law will require will be a due respect for the rights of the people. Game is not to be preserved for particular persons, but for all; and during the proper time limit all men may become "poachers" so far as the American game laws will concern themselves with him. All this may seem to many quite incompatible with the fact that, even within proper time limits, no one may pursue game upon the land of another without express or tacit permission, and they may conclude that there is not to be any essential difference between English and American game preservation after all. Such a belief confuses two different things, land ownership and game protection. If we are to have land ownership, the owner must be owner altogether, and his ownership must cover the live stock on the estate, be it wild or tame. But this is just as it always has been. It is true that there is an increasing unwillingness to grant permission for the intrusion of others in pursuit of game; but the permission has always been legally necessary, as a part of land ownership, and should not be attributed to the new system of game protection. The change is merely a corollary of the country's development; the permission to hunt or fish, which was once valueless and was given with corresponding liberality, is now valuable and must be paid for.

It would not be fair, however, to leave even an implication that the change, legal as it may be, is withal an injury to the people. When one tract of wild land after another is taken out of the market and reserved as a hunting or fishing park, when the people of successive neighborhoods find that the lakes, brooks, and forests over which they and their fathers have fished and shot from time immemorial are now closed to them, it is easy to suggest to them that they have been injured in some way. One must take the development as a whole, not in parts. The case is not one in which powerful barons have entered by force and ousted the people from their natural privileges. It is merely that the lake, the trout-brook, or the shooting-ground has acquired a new value from a general development which, in another part of it, has enriched our tables with fish and game from the most distant parts of our own country and with food products from all over the world. The parts must go together. He who wishes to turn back the years, and fish and shoot as freely as his grandfather did, cannot surely expect to enjoy the Northwestern salmon, the Southern berries, the Florida oranges, the California figs, the Western beef, the tinned or glass goods from all over the world, for which his grandfather possibly would have been glad to barter all his meager privileges of the chase. Such details of development are enough to show that, while there is always a scale of popular loss, it is altogether outweighed by the scale which represents the popular gain.

Progress in the Copyright Reform.

WE commend to our readers the perusal of Mr. Hayes's Open Letter in the present number of THE CENTURY, recalling the confidence of the literary men