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SIX YEARS UNDER MAINE GAME LAWS.

FORE-WORD.

To the Gentlemen who visit the Maine Woods:

When Capt. Drew, the genial "Kennebecker" of the Boston Journal, wrote up his cruise to Australia, in order to get as long a start as possible, he went back to his trip to Trout Brook on the Passadunkcag; and so in writing on game matters I have begun by telling of the region round Nicasotwic because that is supposed to be as far away as anything can be from a wholesome love of what is lawful. That I have not told you what you expected to hear from that place, may have caused some speculation, and what I shall say will perhaps cause more; but whether you agree or not, hear me out. It is not an easy story to tell, and it is impossible for any one person to present all sides. I speak for the side which never has been told and for the people who cannot speak for themselves. If I make mistakes or misrepresentations, the road is open for both their criticism and yours. I would request, however, in advance, that critics sign their own names and place of residence, since otherwise discussion will not greatly help the matter which needs mending.

I ask your patience. What I have to say cannot be said so that all will take it kindly, and I must seem at times to speak bitterly, for I speak the thoughts of my people. Nevertheless, I have been at some pains to put these things as mildly as possible. I have written all the sketches previously published that you might be the more willing to take my word for what I shall now say, thus saving the bitter retort to facts, names, and dates. And I have chosen to treat it historically rather than polemically, because unless the statement of the facts is convincing, no amount of argument will be.

Those of you who have been in the country of which I have written, know that I have told the truth; those who have not been there but who know and love the woods, can tell whether my observation is exact, my eye correct, whether I know what I have claimed to know. I only ask those who have credited what has been said to believe what will be said. I know this a great deal better--was bred up to it from childhood, have studied it these three years and held my peace, have strengthened my own opinions and observations with those of the best informed men in the State. Now after all that I have seen and heard and written down, I prefer to let these papers on game rest entirely on my own credibility. I only ask you to remember that I do not always undertake to express my own views; that I am not writing what ought to be, but what is; that though I may sometimes seem to misstate facts, I am only undertaking to tell what is generally believed here, which whether true or false, influences public opinion; and that when our opinions differ, I am talking about matters concerning which I know more than most of you possibly can know.

I shall not undertake to exhaust any subject nor to tell all I might tell, rather to give such facts as appear to me best to represent the subjects treated; but, if I tell something of deer hounding, the cause of the warden-murder, the effects of the Graves case, the Jock Darling case, and other much-disputed matters, is it agreed that for the time being all foregoing conclusions are set aside, and these subjects are looked at from the standpoint of the people for whom I write? For we are at a crisis in game matters here, so serious that great caution in action and full freedom of discussion are the only means of our delivery. Few dwellers in our cities and larger towns can be aware just how matters stand, and it is harder yet for those outside the State to comprehend them.

I am speaking for the farmers, lumbermen, explorers, guides, hunters, and all others of the section hereafter to be described who may be classed as our rural population. I am addressing those who visit the Maine woods, which includes many of our own citizens with the many from outside the State; but more particularly the gentlemen who visit the Maine woods--a much smaller class, whom it may be hard to separate from the "outsiders" and "sports," so-called, for whom no great regard is professed. If I do not seem to distinguish the two, understand now for all that the present company is always excepted, and that you and I are the people who never broke a game law;--at least I am sure I never did, and if you have done so at any time to meet your necessities for food we will not quarrel over that, knowing that as we say, you did it "reasonably." I have the honor to extend you a hearty welcome, irrespective of the money you have spent on the guides you have hired here. If you have come and paddled your own canoe, as some of you have, so much the better. If you have not hesitated to help the guides with the camp work and on the carries, it is to your credit. Your welcome here never is gauged by the money you leave, for the people whom I represent above all other things judge and prize a man for what he is.

FANNIE PEARSON HARDY.

we have only too good reason to fear a substitution of laws at the bottom of some of them; for, speaking plainly and heartily, non-residents have too openly declared an interest in our game legislation for us not to take them at their word. Mr. J. F. Sprague, of Monson, Maine, writing in FOREST AND STREAM in October, 1898, says of the sportsmen who came here at that time:

Instead of these laws failing to secure the approval of this class, they have ever been their truest and most staunch and reliable friends, and in more than one instance these "professional men" from other States have inspired or originated the acts which are now the very laws so despised by "Olibo."

In the FOREST AND STREAM for Oct. 30, 1884, "Special" writes:

The request to change the beginning of the open season there (in Maine) to Sept. 1 will come from some of the leading sportsmen and friends of game protection in Massachusetts, Rhode Island and Connecticut. \* \* \* The request for change will come from sportsmen who desire to add shooting to the fall fishing.

Rev. Newman Smythe in Scribner's Magazine for October, 1890, says:

Efforts have been repeatedly made by the Kineo Club to have the laws so modified that, while the wholesale slaughter of deer and moose may be prevented when they are helplessly yarded in the deep snows, some opportunity for legal shooting may be granted somewhat earlier than October; and a bill which was introduced into the last Legislature of Maine for this purpose, passed one branch of that body but was defeated in the other by some influence adverse to sportsmen. Gentlemen who take to the woods in summer generally denounce, and are quite ready to help expose indiscriminate and wasteful killing of fish or game; but as in the course of the season they bring considerable money into the State, they naturally think that some liberty might be granted them of feeding.

It is the same old story of crust-hunting, and the amount of money left; and we notice that the gentlemen neither wait for the law to be changed nor for open season to begin, so we fail to see what difference it makes.

Then we hear the other side from our representatives, how they were approached, how the lobby was too strong for them when some popular measure came up; of the bills that failed to pass, and the people who were there to get them through. One bill I remember, as reported by our own representative as long ago as there were pigeons in the State, tried to make it a State prison offense to fire a gun within 200 yds. of a pigeon bed owned by a certain game club from out of the State. We have heard the boast of the man who declared that people outside the State could pass "any reasonable laws" in Maine. We have heard Mr. Stilwell say, when he was opposing an open September some years ago, that "the men and the means" were there to put the bill through. On the whole, we are "over canny" to disbelieve those who say that our game laws are fearfully and wonderfully made.

We do not deny that many of the bills introduced and advocated by those outside the State, make good laws—better perhaps than we should have made for ourselves; but the fact that they did not originate here arouses suspicion of their import, and, to our minds, makes the moral obligation less. Even if it were all good and disinterested, we have had too much of it. If for ten years Maine people had besieged the New York Legislature with bills proposing this and that means of purifying the municipal affairs of New York city, and had concerned themselves in season and out of season in telling New York people what to do about it, much the same state of feeling would exist there toward us that exists here to-day toward those who have made our game laws for us; and however good the measures proposed might have been, they would hardly be called popular measures, nor the reform a popular reform.

How much has been done by those outside the State we cannot say; but if our present trout law was a native production it is the oddest bit of legislation with the oddest history of anything ever produced here. One thing I do know, for I was a child at the time and frequently saw the man most active in it, heard him talk on the subject and remember the particulars. The law forbidding the killing of moose for five years was proposed, drafted and principally carried through by a Massachusetts man, Mr. John M. Way, who published the first tourists' map of Moosehead Lake. It was a good law

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fact that in 1864 he and his brother killed 50 bears in one month about the regions where Bardale, Ventura county, is now laid out, and they were all killed the same way as the one yesterday."

Six years ago, while crossing the trail with his ten year old son, to this same ranch, he came face to face with a she grizzly and her two nearly grown cubs. He was armed with a Winchester, but had only five cartridges at hand. He succeeded in killing the three bears with the five balls, the last of which was sent through the enraged mother's heart as she reared to embrace Ortega's son, who had been dismounted by his frightened horse.

A. J. COMSTOCK, M.D.

## WHY I GO HUNTING.

Editor Forest and Stream:

Some weeks ago your Chicago correspondent gave some good advice to overworked professional and business men. I want to add a few words on the subject, believing that my own experience is that of many professional men.

Some twelve years ago I made the discovery that too much office work was using me up. I took too much time to decide questions of judgment and worried too much over the decisions after they were made; found all my work hard work; lost my patience at trivial things; was annoyed at trifles; would not eat or sleep well, and was in a bad way generally. As I came of a long-lived family, I did not propose to give up without a struggle even if the doctors did tell me I had nervous dyspepsia.

I had a fairly good history of my family for a couple of hundred years, and in looking it over made the discovery that close confinement in an office did not "run in the family." I now believe that in a new country like ours we have no type of office men answering to the types of miners, toy makers, cobblers and hundreds of others in the old countries.

At this time a friend suggested hunting, since, living in a small village, although having my office in a city, I could readily find something to hunt. I had been fond of hunting in my youth, but had never done much of it, and none for years. My friend went home with me one afternoon, and I got out my old muzzle-loader and tried a few shots at chips thrown in the air. The result satisfied me that if birds were plentiful enough and got up close enough to me they would not all get away; and I deliberately took up hunting as a means of improving my health, and I have stuck to it ever since and mean to stick to it so long as I can carry a gun.

The first fall I went to Iowa after chickens, and found I could do quite well at them. I made no profession of being a crack shot, and so was not annoyed in the least at misses. Never losing my temper I found a great advantage, and being a very industrious hunter I made as good bags as much better shots.

I am satisfied that there are many over-worked men who could derive much benefit from hunting, and would too if they only knew how easy it was to take it up even quite late in life. For the last six seasons I have spent a good part of November in deer hunting. I killed six deer last November, and stopped every deer I should have stopped. The year before I missed a running buck at 50 yds., but killed a doe the next day with as easy a conscience as though some other fellow had missed the buck. Our deer club used to hunt with dogs, and your correspondents may say what they please about still-hunting, but I would rather go out day after day and hear the dogs and hear some other member of the party shoot a deer or miss him, and never see one myself, than to pot-hunt a dozen a day still-hunting. I have killed but two standing deer, and never want to kill another. We never killed deer out of season, as is done all around us by the still-hunters; never killed a deer in the water, and have more deer around our club house than six years ago, and expect to have fine shooting for years to come if we can keep off the still-hunters. We own thousands of acres of land, poison the wolves, put out salt and plant turnips for the deer, and do everything in our power to keep up the

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they remain without any apparent anchorage. They are not stuck in the mud of the bottom, nor held down by weight. If you lift one to the surface it will float, but you may move it about on the bottom without its rising. I have myself tried this with sticks from which the bark had been eaten, but have never done so with the green unpeeled limbs before the beaver has taken them into their houses. This matter to me is a very mysterious one, and I have never been able to get any hint as to how these sticks were sunk. All through the winter the beaver visit these caches, carry the sticks to their houses where they eat off the bark, returning the bare sticks to the water. Sometimes it may happen that, for some reason or other, the cache may not contain enough to last the whole colony through the winter. In this case the beaver, if possible, get on land through some air hole or piece of open water and then forage among the timber. Occasionally a combination of scarcity and severe weather may oblige the colony to emigrate during the winter to some more favorable spot.

No description of the beaver is needed, since his picture may be found in every child's book. The females are somewhat smaller than the males, and may be more certainly distinguished from them by their broader and more rounded tails. I have never seen the tail used in swimming, though it may be used as a rudder. The largest number of young that I have known of is seven. These I took from a female in April, and from their size and development I conclude that the young are born in May. The largest beaver I ever took I weighed and found that he turned the scale at 110 lbs. He was an old fellow and had lost three of his feet in traps.

Aside from man, the worst enemies of the beaver are wolves, lynxes and wildcats. These catch them to some extent in summer when they are working; but the number destroyed by these is probably not very great. Although beavers are supposed to be entirely confined to fresh water, yet I have on a few occasions, notably in Loughborough Inlet, on this coast, found them swimming in the salt water. In such situations they may easily be overtaken by a man in a canoe and shot, for a man can easily paddle a canoe fast enough to overtake a beaver.

The fur of the beaver as seen after being dressed and prepared for trimming clothing does not look very much like the coat of the beaver when freshly skinned. Then the soft under fur is concealed by a covering of long silky brown hairs, which are usually removed in the dressing. The castor, which is contained in two glands, one on each side of the vent, is the only other valuable product of the beaver. It is used by druggists, and was once, I believe, in great demand. It is a yellowish substance—very bitter—a sort of concentrated essence of cottonwood and willow bark.

While these remarks on the habits of the beaver will not help any one to learn how to trap him, they will serve to indicate that he is an animal of high intelligence and pretty well able to look out for himself under ordinary circumstances. In beaver trapping we use a No. 4 steel trap, and the bait is a strong-smelling mixture composed for the most part of the castor taken from the beaver itself. Almost every trapper has his own peculiar formula for preparing his "medicine," and each one thinks his preparation is the best thing in the world to trap beaver. It is a very unusual thing for a trapper to divulge the secret of his own preparation. Mine is a very simple one, consisting of castor, honey and alcohol, the purpose of the latter ingredient being merely to keep the castor sweet. Having mixed my "medicine," I bore a 2/16 in. hole in a birch limb, lengthwise of the grain, fit a stout plug to it, and in this unbreakable bottle place and keep the mixture.

Many trappers set for beaver on the dam or near the house or on the slide or runway, where they go into or out of the water. I never do so. If you catch a beaver on the dam all the others see him there in the trap, and it makes them still more shy and difficult to catch. If you set close to the house you are almost sure to catch kittens, for the young are the first to come out in the evening and so the first to find their way into the traps. The skins of the kittens are worth but little, whereas if they are allowed to grow to full size they will bring full prices. I never set where the beaver himself goes, but try to put my trap close to where he passes. Having chosen my spot I take a lot of mud from the bed of the creek and make a little mound like the ones formed for sitting and rolling on by the animal himself. I then dig out a place large enough to hold the trap in the edge of the bank, splashing water over the digging to make it look natural and old. Just under water and on the bank above it I set up a little step on which are a few drops of the beaver medicine. This should be fastened to the trap either by a slender twig or a piece of black thread so that the animal, when he dives in the water, will carry it with him. This is to keep the other beaver from smelling it. The trap is set 6 to 9 in. below the water's surface, and the end of the step is 6 in. above water, and a foot or more to the landward side of the trap. The chain I carry out toward deep water as far as possible, and make fast to it a good sized rock, as heavy as the beaver could well drag. Many people stake down their traps or fasten them in some way so that the animal, when caught, is held to the spot. The result of this is that the beaver, when he finds himself in the trap, works away until he has twisted off the imprisoned foot and escapes. The object of the trapper should be to drown his victim as soon as possible, and with the trap set in my way the beaver usually makes for deep water where the weight of the stone attached to the chain soon drowns him. A dry pole 10 or 12 ft. long will serve to mark the position of the trap in the water after the beaver has carried it off, and make it an easy matter to recover it.

This pole should be so small that the ring of the trap will slip over the butt. The branches which should be left on the pole will keep the ring from slipping toward the smaller end, while the butt may be split and wedged so that the ring will not slip back the way it came.

The spring of the trap should be bent around to one side—that to which the catch is fast, and the trap should be so set that the jaws when closed will stand parallel to the direction of the beaver's path. Thus the jaws in closing will grasp the beaver's foot without throwing it out of the trap. If they close at right angles to the beaver's line of approach, it might well happen that as they flew together they would strike the foot and knock it out of their reach.

Some trappers set a little deeper and make use of a

device to induce the beaver to put his foot to the bottom before he otherwise would. They plant in the bank a small stick sharpened at both ends. This stick is horizontal and about 2 in. under water, and its free end is just about over the landward side of the trap. When the beaver comes swimming along over the trap this sharp stick strikes him in the neck and stops him. He puts his foot to the bottom for support, and it touches the pan of the trap and he is caught.

It requires a great deal of patience to trap otter successfully. This is partly because they are such great travelers and are almost always moving about. You may find an otter slide to-day with fresh sign on it, and set your trap, and perhaps it will be ten days before the animal visits the slide again.

For otter I use a No. 4 trap, which I set either on the slide or somewhere near where the otter will pass. For "medicine" I use the glands, and scatter the mixture over the leaves and grass about the trap. When the trap is set on land I fasten the chain to a spring pole long and strong enough to raise the animal quite off the ground. The otter's struggles free the pole and he is lifted up so that he cannot twist or gnaw his foot off. If the trap is set in shoal water I tie the chain to a rock. He will not drag it far. When the trap is set in deep water, the ring is strung over a sliding pole. The otter skin is cased, but the tail must be split and tacked to a stretcher.

Mink are easily trapped, as they have but little cunning. To take them, build a little pen and set the small steel trap a little to one side of the middle of the entrance. Put the bait, which may be fish or bird's heads, on a stick a foot or two above the ground. Or a deadfall such as is used for martin or fisher, but smaller, may be used.

The days of successful trapping are now pretty much over, yet if a man has a taste in this direction it is always worth while for him to take a few traps with him when he goes into the mountains, for in this way he may bring back many specimens that he would not otherwise get.

TOAT COULA, Washington.

R. V. GRIFFIN.

## SIX YEARS UNDER MAINE GAME LAWS.

### II.—WHY THE FARMER COMPLAINS AND WHO HE IS.

THE Greek farmer, neither in character nor ability, represents the class of men who live on our hill-sides and forest clearings, but what he says is just what I have heard, and in much the same temper, from many of our farmers and back settlers.

That they should hold such views is natural, even unavoidable, under present conditions. Farmers, who are not guides nor hunters part of the year, are not very well acquainted with the game laws; many of them never saw the printed statutes and have no other means of judging the import of the law than by what they see done in its name. They have heard it said that the game laws were passed for the benefit of all, but what they have seen of the execution of these laws leads them to believe rather that the claim is a blind, and that the real object is preserving game for privileged classes who can pay for it, and keeping it from them, the poorer classes. If the suspicion at first sight seems absurd, consider whether any other view would be more likely to prevail among men who have had contrasts like the following thrust upon their notice.

A farmer on the Penobscot captures a caribou in close season intending to keep him alive, and an officer is

straightway sent by orders from Bangor to force him to release the creature, under threat of prosecution. Prosecution, for having the animal in possession? No, for putting on snowshoes in order to catch the creature, because putting on snowshoes is *prima facie* evidence of an intent to hunt, whether one has a gun or not, and under the law the attempt is punishable. But while such wire-drawn logic is used against the farmer, two full-grown deer, which must have been taken in close season, are kept by the month and the year at the Bangor House, within a quarter of a mile of Mr. Stilwell's office. The immediate inference is that the rich and the poor are differently regarded by the laws. Again, a farmer who tries to sell eight or nine partridges in close time is fined, although he proves the birds were killed legally in December; but tongue and trout are openly sold in close time in city markets. The poor man has no chance, they say; the rich man can do what he pleases.

Again, two farmers each killed a caribou a little before the open season began; neither was a hunter, neither knew what kind of a creature he was killing or that it was illegal; both were fined. But men from our own cities and others yearly violate the laws, knowing well what they are doing, and no wardens are sent into the country where they are known to have gone for this purpose. This injustice in the execution of the law is mistakenly but naturally laid to a partiality in the law itself. The law favors sportsmen, it is said, and is against our own people.

But the farmers see this difference between rich and poor made not only in capturing alive, in killing and in selling game, but even in transporting it. A hunter buys a ticket to Bangor and checks his deer as personal baggage, just as sportsmen do daily, but he does not go on the same train with them. The deer are seized at Bangor on the ground that the owner must accompany them personally. The State law about non-transportation does not say this, by the way, but it is the interpretation at Bangor. The query comes, what is there wrong in it? Were not the railroad requirements met in having the deer checked as personal baggage and the ticket punched with the baggage check, so that nothing else could be afterward sent on that ticket? A sportsman's deer would not have been seized if the owner were detained by sickness or accident from going with them, is the comment, and the suspicion of unfairness is strengthened when this case is compared with another a few years back, when the non-transportation law was at its strictest. Then the orders issued at Bangor forbade any conveyance, public or private—railroad, stage or private team—to handle or convey more than one moose, two caribou or three deer under penalty of seizure of the whole load of game. The Maine Central R. R. issued the strictest orders on this point and refused to carry any game; seizures were frequent. But, nevertheless, this railroad at one time forwarded a load of deer—nine, it is said, including one white one tagged to a prominent railroad official, and all or a part of them killed with dogs by outside sportsmen. The load passed through Bangor, the officers there knew it, and yet no seizure was made. Comparing this with the foregoing, what inference could well be drawn except

that the laws had not been fairly executed? It is only a step to the assertion that the laws themselves are unjust, and the step is taken by those who know less of the law than of what is done by the officers of the law.

The cases given above are not fictitious. The information regarding the farmer who caught the live caribou, was given personally by Warden Eben F. Morse, of Edington, who was sent to release the animal, and the ground for prosecution, absurd as it seems, is as he gave it. Warden A. J. Darling, of Enfield, gave the information regarding the farmer fined for having partridges in possession, and said that he tried to get the fine remitted because the man was too poor to pay it, and the violation was unintentional. If the farmer had been able to go to law about it he could have won the case, as Benjamin Young of North Milford won his case on deer. Warden Alec McClain, of Mattawamkeag, said that he fined one of the farmers who killed a caribou, but should not have done so if the man had known enough not to sell the horns in close time to the station master at Mattawamkeag. The other, Milo Merriam, of Sherman (I believe), personally told my father of his case, and said that the caribou came out among his sheep at Benedict, and he killed it not knowing what it was. The last case is the Walter McPheters case, soon to be tried in court.

Of the instances cited on the other side the first is too well known to need comment, the second will be referred to later, the third is notorious, and the last is based on information from various sources and the admission of the highest authorities here. These are not a tithe of the contrasts which might be cited; but these are enough to show how the present feeling could arise. I must not be understood to say that the laws are invariably or even half the time executed after this fashion; but to bring them into disrepute does not need that the majority of the grand total of indictments should have been of this sort; but only that the people, whose individual judgments make up the public opinion which I represent, should have seen three prosecutions of every five that have come to their notice conducted contrary to their ideas of fairness and justice, or if strictly legal in form, enforced against one class of law-breakers, while another class seems to have been scarcely noticed.

In what I say now, however, and in what I shall say, I am not speaking of the State at large, but only of the section included in Penobscot, Hancock, Acadia, Piscataquis and the upper half of Somerset counties. Washington county might perhaps be added, but I do not know enough of the popular feeling there to speak with any certainty. Waldo, Knox and Lincoln, by their situation on the seaboard, have less interest in game than the other counties; and of the region west of the Kennebec I know nothing, though I judge a much better state of feeling prevails there than here. I speak of and for the country drained by the Penobscot, Union, and St. John rivers and their tributaries, and the territory about Moosehead Lake, which is always treated here as if it belonged to Penobscot instead of to Kennebec waters because most of the travel to and from it comes this way. These four counties and a half cover more area than the other eleven and a half—considerably more than the States of Massachusetts, Connecticut and Rhode Island combined. The population of these three States taken together, by the census of 1880 (the last not being at hand), was 200 to the square mile; that of Maine, 21. The proportion of native to foreign population in the three States was less than 70 per cent.; that of Maine, more than 90 per cent. But in

per cent.; that of Maine, more than 90 per cent. But in the region of which I am writing the contrast is much greater. With half the area we have little more than one-fourth the population—not more than 12 to the square mile, by the census of 1880, and the ratio of native to foreign born must have been more than 95 per cent. In these four counties and a half there were only a dozen places of more than 2,000 inhabitants, and five of these—Bangor, Brewer, Hampden, Orono and Oldtown—lie almost adjoining each other. The significance of these facts in relation to what I propose to say is this: The absence of large towns shows that manufactures can occupy comparatively few of the inhabitants; the great preponderance of native over foreign born shows that under similar conditions they will be sure to think nearly alike; the scattered population shows that agriculture, and/or which lumbering may properly be included, must be almost exclusively followed. Since the population is practically homogeneous both in race and in occupation, I must either entirely misrepresent them or else represent what is known politically as an overwhelming majority.

Now this section contains by far the greater portion of the forest land of the State, including all the best of the deer country and nearly all the moose and caribou country in the State. The inhabitants of this section as a whole must therefore know more and care more about game matters than those of any other section. For another reason also they are better informed.

Bangor lies in this section and Bangor is the great lumbering and sporting center of the State. Whatever is done in the woods, in the course of time drifts down the river to Bangor, and there is caught by those who stand waiting for it. Things that the doers supposed were buried in the wilderness—what was done, what was seen, what was said, even, come to be talked over publicly on Bangor streets. As it is the center also of all the railroads leading to the great game country, most of the sportsmen who come to hunt must pass through it, while game seized in transportation is more often taken here than anywhere else. Then, one of the game commissioners lives here, so that it is headquarters for official news. Besides, Bangor and Ellsworth are the two principal county seats of the region described, so that most of the game cases that pass into the higher courts are tried in either one or the other of these places. While many of the people may not be able to tell a deer from a caribou, there is, nevertheless, no other place in the State or out of it where Maine game matters are so well understood and so much discussed as in Bangor; and a knowledge of what is said and done there is indispensable if one would speak on game matters.

This knowledge I may claim to have, from having lived so near as to be almost in the city and from peculiarly good facilities for obtaining information. Other circumstances have given me a considerable acquaintance with wood men, guides and hunters, both white and Indian, and opportunities of knowing about many more whom I never have seen, therefore I know definitely for whom I am speaking and what are their views. In addition, I have been through the game regions of which I speak in close time, for the express purpose of seeing what was

done and hearing what was said before the better class of visitors had arrived, so that I can speak from my own knowledge on some points where I speak most strongly. The information obtained from these sources, the fact also that the people of this section, for the reasons given above, must be practically of one mind upon game questions, and that I am heart and hand, by birth and education, one of them—lead me to suppose that I can represent their views. Do not misunderstand me as doing more than presenting these, explaining their origin and to what they will lead; as I have purposely shown you in the preceding series, I am too prejudiced to be able to sit in judgment on the laws, and I shall not attempt it. But by reason of this very prejudice I am able to get at facts which you could not, and I can reflect public opinion in a way that your critical and judicial power, which fits you for discussing what I am debarred from, could not arrive at. It will be done solely for the sake of producing a better understanding between you and those for whom I am speaking. When you reflect that the people here are the natural game wardens of this great forest region and that the very existence of the game depends on their good pleasure, the importance of your knowing how they think, feel and talk about these matters will be self-evident—a sufficient reason for my saying what I have to tell you, a sufficient excuse for giving some good advice, which must be heeded if sportsmen would like to come here and enjoy the privileges they have had heretofore.

I have already told something about the commonest claim here—that the game laws are enforced so as to favor sportsmen—and that many say the laws themselves warrant this. On the former of these two points I have given some evidence, the other I will illustrate briefly in my next paper, with some other claims of a similar nature. It should be stated that the latter of these two opinions is more prevalent among farmers and those less likely to be well-informed on the subject, that the former is held by guides, hunters and others who have had better opportunities for studying the printed statutes. And here let me state unequivocally that whatever the individual opinions quoted hereafter may seem to claim, to my best knowledge and belief the people as a whole do not ask to have the game commission abolished, do not ask to have visitors excluded from the State, nor more rights given to residents than to non-residents, nor to have the laws changed. Some localities would like to have one change made and some another, but they are not agreed upon any unless it is the law regarding winter fishing. The laws, they say, are good enough; let them be enforced. Or, we have plenty of law on the statute-books, we would like to see some of it in the woods. Or, give us good officers and we will see that the law is respected, for the law is good. FANNIE PEARSON HARDY, BREWER, Maine.

HUNTING AND KILLING.

Editor Forest and Stream:

Mr. Geo. H. Wyman, in his interesting paper on the Virginia deer in your issue of March 19, brings up the old question of still-hunting vs. hounding, and expresses his opinion in favor of the latter method in very decided terms as least destructive and more sportsmanlike. This is largely a matter of opinion, of individual taste, and depends almost entirely on early impressions and education.

As it happens, I have killed only two deer ahead of

As it happens, I have killed only two deer ahead of hounds, while I have secured many by still-hunting; and my preference as to these two methods is altogether in favor of still-hunting as much the higher form of sport.

It is, I think, an axiom that the more skill there is required in any form of sport, the higher that sport is. Thus, by as much as it is more difficult to cast a fly for a salmon and successfully play and land the fish than it is to take and land a trout, by so much is it a nobler sport. So fly-fishing for trout is higher sport than catching bullheads in a mill pond. To kill the swift-winged quail or ruffed grouse on the wing is more difficult, and so finer sport, than to pot sparrows along a hedgerow.

It is, I believe, generally admitted that to kill a deer before dogs is easier work than to still-hunt. A correspondent of yours writing from St. Lawrence county a few weeks ago complained in substance that but few deer would be killed in his county if neither jacking nor hounding were permitted, thus admitting that still-hunting could not be successfully practiced by most hunters. It is a matter of common knowledge, I believe, that deer are often killed before hounds by men, women and children who have not the slightest knowledge of the habits of the animal, and are no more competent to practice still-hunting than they are to fly.

If I understand the methods pursued in hounding, all that is required of the hunter who is successful by this method is that he shall be able to stop a deer on the jump and shall have patience to remain quiet at his stand. The successful still-hunter, on the other hand, must know the habits of the deer, and must match his skill and caution against the acute and ever-alert senses of one of the most wary of animals.

Granting that there is a great charm in the mellow music of the hound, and a vast deal of excitement in the uncertainty as to whether the game will or will not come toward the hunter, I cannot help thinking that the difficulties of still-hunting raise it far above the sport of hounding.

It may be that still-hunting is more destructive than hounding, though I cannot think this is the case. Take the Adirondacks, for example; how many deer would be killed there annually by the visitors to the woods without the aid of dogs? Not many, I fancy.

There is one point on which I am thoroughly in accord with Mr. Wyman. That is, that it is not the killing that constitutes the sport of hunting. It is the meeting the wild animal on its own ground, finding it in its own home, and then proving that you are more watchful and wise than it is; that, notwithstanding the fact that it is always on the alert, that its eyes, ears and nose have been trained through centuries of inheritance and years of practice, your caution and your senses—though dull by comparison—yet enable you to circumvent it, and approach within the killing distance.

Many and many a time have I spent half an hour or half a day in watching, waiting and creeping to get up within easy range of deer, elk, antelope, buffalo or other game, and then when I have reached the point of vantage, have lain there with my loaded rifle and watched the actions of the graceful creatures, feeling that they were

in my power and yet with never a thought of killing what I did not need.

I think that among old hunters this feeling is quite general, and that very few of them care to kill merely for the sake of shedding blood. The triumph of their hunter's skill over the animal is the only satisfaction which they seek, and for them this triumph needs no visible, tangible proof, such as would be furnished by the carcass of the slaughtered game. The old hunter knows perfectly well whether he could have killed if he had wished to, and he has killed enough in the past to make the addition of another victim or two a matter of no moment to him.

It seems to me that those of us who have passed the stage where we kill simply for the sake of killing, can do a little good by explaining to those who are younger, or have had less experience than we, just how we look at this matter. Aside from its value as food, game is useful for the hunter to practice his hunter's skill on, not his shooting. It should not be killed unless required for camp use, or possibly when an unusually fine head is seen.

THE SILENT MAN.

REPLY TO "SPECIAL."

I WISH to thank "Special" for stating that he believes me to be honest. It is what I have always endeavored to be.

His statements as to who he is occasion no surprise, as I know far more about him than he supposes. It is on account of this knowledge, corroborated by the statements in his last, that I have written. I do not question his knowledge of Boston markets, or that he visits Maine occasionally, or that he sees many from there. I said he was a stay-at-home correspondent, and I still say so. I do not question his good intentions, but I do say that he gives statements as authoritative on many points of which he has a very limited knowledge. That he intends to state facts is no excuse for stating things to be so which are not so. I did not question the many correct statements; I challenged the incorrect ones regarding our land owners. By an official report to the Boston Journal, March 17, our wild lands are given as containing 9,200,836 acres, valued at over \$19,000,000, and the tax for 1891 is \$52,743. Is it wise to antagonize the owners of this property by making statements about them which cannot be proved? "Special" stated that they were "obstinate to pig-headedness" and would oppose a certain measure "with all the power they could bring to bear." In his article of March 19 he says truthfully, "There was not much opposition to the amendments," and his silence regarding land owners shows he was mistaken. I asked him to quote any article a land owner had ever written proposing to curtail the privileges of sportsmen. He has not done it. Instead of this he speaks of one who wished that hunters and fishermen could be kept off their lands for fear of fires. This, I think, is no unreasonable wish. If "Special" were a land owner he would wish the same.

He mentions a praiseworthy case where a gentleman tried to extinguish a fire which "some camper had left burning." If there had been no campers there, there would have been no fire. He complains of land owners because "they can see no difference between the real sportsman who would as deeply regret a forest fire as they would themselves and the worthless, thieving poacher of their own State." Now, the fact is that it is the guides, who belong to the class "Special" calls names, who really preserve our lands from fires. They choose

who really preserve our lands from fires. They choose the camping places, they build the fires for the sportsmen, whether real or sham, and they put them out on leaving; were it not for our guides the State would have been burned over long ago. A man may be a perfect gentleman and obey all laws, and yet be very careless with fire. I can give names of three Bangor men who set three separate fires in past years—all first-class men, but careless. To imply that a gentleman will not carelessly set a fire, and that those who do are poachers and thieves is absurd.

"Special" says that I object to "true sportsmen." That is his statement, not mine. I object to no man, white man or Indian, who kills no game and catches no fish to waste. A good many such come here to fish; a very few to hunt. All such men are welcome. What I do object to is having any one calling the men who leave our trout in piles to rot on the banks, as I have often seen them, and who kill our game in summer and waste it, "true sportsmen," and calling other as good men "thieves and poachers," if later they kill what they need to eat. I do not believe in calling any one hard names. It never does any good to the cause of the one who uses them; but I believe in fair play. "Special" says in the FOREST AND STREAM, Jan. 13, 1887, page 487:

"I have heard a gentleman say within a couple of days, and I know him to be a true gentleman, notwithstanding he has been in disgrace in Maine for shooting game out of season, for which shooting he has paid his fines—I have heard him say that if Maine changed her game laws so as to give September as part of the open season on her larger game, that he should do all in his power toward helping the Commission."

Now if he means to say that a man who has killed game in close time is a true gentleman because he has paid his fines, why is not Jonathan Darling, after he has settled his fine, as much a gentleman? Darling wants September opened for dogging deer, and this man wants it opened to kill them after his own fashion. Wherein is the difference? What I wish him to see is that by making class distinctions, by keeping silent about the rich who come to waste and berate those of our State who kill to eat, such a state of feeling has been made to exist as "Special" at his distance knows nothing about. He hears one side and gives that as he hears it; there is another side of which he knows little and which I feel would modify his tone were he more fully informed. My daughter is writing a series of papers on Maine game which may place some things in a different light from what they have been viewed. "Special" doubtless knows more of the Rangeley region where he visits than I do; I make no pretensions to knowledge of that country; but of the country east of the Kennebec from the sea to the boundary lines, I have a knowledge such as he will never have.

"Special" asks me to find a line he has written defending the killing of game out of season. I have never stated that he defended it; what I do say is that he condemns one class and keeps silence about the other. He will remember that our close time extends to Oct. 1. He knows that fully three-fourths of our hunting visitors

have finished their hunting before that; of the remainder I think a fair statement would be that at least half go to different points, where deer are dogged to hunt in this way. I think "Special" would be fair if he knew the facts, but our local papers rarely expose visitors, while they do give some cases of violations by our own people, and at his distance he repeats what he reads.

As to shooting cases, "Special" says: "Note where I say in substance that if anybody does this and gets shot, why, I am simply glad of it." I freely acquit him of partiality; but how any man can say he is glad when a man is killed or wounded and a home is left desolate, is beyond my comprehension; but that is his funeral, not mine.

A large part of his article is given to "submitting a proposition to my judgment," and to bring it down to my comprehension he has kindly restated it in simpler form. When I first read it over I thought it sounded familiar and at once turned to Mark Twain's first interview with Artemus Ward. I quote a part of it, as I think any one reading the two will at once see the similarity in directness of style:

"Now, what I want to get at is—is, well, the way deposits of ore are made, you know. For instance: Now, as I understand it, the vein which contains the silver is sandwiched in between casings of granite, and runs along the ground and sticks up like a curbstone. Well, take a vein 40ft. thick, for example, or 80 for that matter, or even a hundred—say you go down on it with a shaft, straight down, you know, or with what you call 'incline,' maybe you go down 500ft., or maybe you don't go down but 200—anyway you go down, and all the time this vein grows narrower, when the casings come nearer or approach each other, you may say—that is, when they do approach, which of course they do not always do, particularly in cases where the nature of the formation is such that they stand apart wider than they otherwise would, and which geology has failed to account for, although everything in that science goes to prove that, all things being equal, it would if it did not, or would not certainly if it did, and then of course they are. Do not you think it is?"

And then I said aloud: "I—I—that is—if you don't mind, would you—would you say that over again? I ought —"

"Now, don't you be afraid. I'll put it so plain this time that you can't help but get the hang of it. We will begin at the very beginning. You know the vein, the ledge, the thing that contains the metal, whereby it constitutes the medium between all other forces, whether of present or remote agencies, so brought to bear in favor of the former against the latter, or the latter against the former or all, or both, or compromising the relative differences existing within the radius whence culminate the several degrees of similarity to which —"

I said, "Oh, hang my wooden head, it ain't any use—it ain't any use to try—I can't understand anything. The plainer you get it the more I can't get the hang of it."

"Special" sums up his proposition by asking me "squarely to tell the readers of FOREST AND STREAM whether if Maine people stood by their own game laws and refused to assist 'sportsmen' from other States in illegal killing of game, if the whole work would not be done." I answer squarely, no. Only the year before last a New York gentleman whose name I have left here threatening to bring his guides and boats from the Adir-

ondack county. I say that if our people all stood by the laws to a man, these men would come as long as they knew that by paying a fine, light to them, they would still be considered gentlemen in other States. They care no more for our laws or our State than the Boston liquor dealers do; what they want is the game. "Special" has unwittingly showed where his sympathies are. He has proposed for the whole people of a State to keep the laws and to keep any of their number from being hired by outsiders to help them break the laws, before he proposes to help us. Did he ever know any State, city or town, where no one could be hired to break laws? If that is the only condition on which he proposes to give us any moral support, we will "paddle our own canoe." To expect the people who own the game and the land it is on, to stand by year after year and see it wasted, with rewards offered by outsiders for their conviction if they break their own laws, and no rewards for non-resident violators, and no word of encouragement for those who do well, but only opprobrious epithets hurled at those who follow bad examples, is too much to expect even of Maine.

MANLY HARDY.

CHICAGO AND THE WEST.—Chicago, March 21.—John Gillespie is back from Florida, the better for the trip, it is hoped, though suffering from a very bad trouble with his eye, the lid of which seems temporarily paralyzed. March 20.—At the close of last week thousands of geese were reported, so Mr. Low tells me, at the Kankakee marshes at Cumberland Lodge, the most seen there in any late years. Ducks are said to be in all over the marshes now, as the thaw is well on. There seems little doubt that the flight of this spring is exceptionally heavy though no steady shooting has yet been had. A number of parties went out last Friday and Saturday, but at this writing no word is yet obtainable from them. They have doubtless met the birds this time.—E. HOUGH.

DUCK SHOOTING ON GREAT SOUTH BAY.—New York, March 16.—I rigged my decoys on the windward shore, but only secured four ducks. Then, determined to do better, I rigged on the following day on the leeward shore, where I bagged seventeen. After a stay of five days I took thirty ducks home with me, and bethought myself that leeward shooting is better than windward, when the wind blows a reef gale.—D. M. HARE.

SPRING IN THE ADIRONDACKS.—Northwood, N. Y., March 25.—Spring is certainly here. Robins, bluebirds, woodchucks, ducks, snakes, blackbirds, song sparrows, yellowhammers, and some of the smaller hawks have appeared. The snow has nearly gone, and the ice is out of the West Canada Creek at this point. The pheasants appear to have wintered well.—WOODCHUCK.

WHAT the harness manufacturers use and praise should certainly be just the thing for private and livery stables. Harness manufacturers consider the dressing produced by Frank Miller & Sons to be the "best ever used" on a harness, new or old, for it is not only a beautifier but a preserver to the leather, while giving it a perfect finish. It does not peel, crack or smut, nor will it harden the leather, and may be used on buggy tops, fly nets, traveling bags and trunks. It is a general favorite because it can be relied upon.—Ad.

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### Game Bag and Gun.

THE FULL TEXTS of the game laws of all the States, Territories and British Provinces are given in the *Book of the Game Laws*.

#### SIX YEARS UNDER MAINE GAME LAWS.

III.—THIS, THAT AND THE OTHER CHARGE.

**M**OST do not profess to believe that the laws as now on the statute favor any class, resident or non-resident; but those who hold the opposite opinion claim to have some show of reason on their side. The following extract from a newspaper article by an old Aroostook trapper deserves careful attention as illustrating not only the way in which this conclusion is reached, but the plainness in speech and strength of feeling with which game matters are discussed here. There is no doubt in the writer's mind about the animus of the law—no hesitation in declaring that "the shifting of the game from rural to aristocratic hands is the final and main object." I hold the original of the article of which this is an exact copy. It was also published in the *Hanger Daily News*, Feb. 12, 1891, over the writer's own signature, with the title of his own choosing:

#### THE ARISTOCRATIC WAY.

Now, then, let us decide how the penalties for breaking the game laws compare with the penalties for breaking other laws. It would be out of all reason to punish a game law breaker as severely as a horse thief, and yet he is punished far more severely—\$100 for killing a \$10 mouse, and the same for attempting to do so by unsuccessfully hunting him; and as earning a thing favors (in a moral sense) ownership, then the mouse is his unless prior ownership can positively be proved and thus the law sustains its moral right.

If the State should weave the principle of punishing the attempt to commit a crime, as she does the committing of crime, into her other penal laws, the game law breaker could not complain of the inequality of her tyranny. If she claims that that peculiar feature of law making is necessary to check such a heinous crime as seeking one's own food in the forest in the teeth of the doubt regarding the right of the State to make the law at all—and having severely earned it, too—then I would beg leave to remark that it might likewise be a fine thing to weave a similar principle into the punishment of other minor crimes, such as murder in the first degree, arson, burglary, larceny, etc., etc.

And while a horse thief is not materially punished for simply keeping the boxes for running off horses, we are fined \$20 to \$50 for keeping the boxes (dogs) to run wild hogs. Why does the State thus make an exception of the game law breaker? I will try to show that. But, again, I shoot a partridge in close time, worth from 5 to 10 cents (that is, in the place where he lives), and am fined from \$20 to \$50, one hundred fold the value of the bird. Apply the principle to one who steals a \$100 horse, and a \$100 fine is his due. Why this severity on a breaker of the game law? I will show further on. But again, you send your horse, worth \$100, up to Massachusetts on the train. I send my bird killed in open time (my lawful property) on the same train, under the sanction of the Constitution of the United States, and while the State defends you it punishes me one hundred fold right in the teeth of the United States charter which says, "Commerce between the States shall not be restricted," which, if applied to you, would cost, on \$100, why such terrific outlawed tyranny? I will show further on. Again, the fish law places a fine of \$20 for an attempt to break the law and \$1 apiece if the fisher is successful. What is the proportion here? Well, suppose he catches 50 cents worth per fishing trip, then the fine is at least forty fold. Why this severity on this class of law breaker? I will tell further on. But again a fine of \$10 is placed for killing certain fur animals from the first of May to the middle of October. Now muskrat are prime through May, and are worth about 20 cents, and I happen to know as a hunter that May is as good as any month of the year to hunt them, and 100 of these being a fair month's work, it follows that the hunter is fined \$1,000 for a perfunctory month's work.

If this principle was applied to everybody, then everybody would rebel, and nothing, or rather nobody, to rebel against; and this law might well be called a statute of rebellion.

It is not necessary to dwell longer on this point since no good would come from it even if the fact of such a partiality existing in the laws could be established, while the *claim* that it exists there is too common to need formal proof and is as well illustrated by this one example as by the thousand which might be cited. But it is a fact, and a fact to be regretted by all, that game matters and game legislation are coming more and more to be regarded as a contest between rich and poor, non-resident and resident, sportsman and farmer, the game being only the *cassis belli*—the excuse for the war. To strangers to our customs and ways of thinking, "the transfer of game from rural to aristocratic hands," must seem the very shadow of a grievance. But it is real and weighty here where equality is the air we breathe and every man is known by his first name, where social distinctions are scarcely recognized and even to talk of "privileged classes" gives offense. Very little respect is shown for money, though the ability to acquire is recognized; for an outdoor life, among physical hard-hips and dangers has caused personal prowess to be generally regarded as a better endowment than a fortune; money won't buy everything here, is a common sentiment, and many a man will do as a favor what he could not be hired to do for large pay. But the influx of a large number of visitors, competing with each other, has produced an impression that "outsiders" think money will do everything. These outsiders are the "aristocracy" referred to, and the point feared is not so much that a class with leisure at command shall be able to spend more time and so have more opportunity for hunting than a laboring class, as that what always has been shared by all shall become the monopoly of those who think they can buy the air of a free country. The feeling is deeper than a stranger can easily comprehend. The time will not soon come here when the typical farmer or woodsman will prefer five dollars or three five for showing a sportsman a deer, to the right to take his own chance at the deer if he prefers. He cannot understand how natural rights can be bargained for money, and he looks with suspicion on whoever tries to buy him out.

It is this—and it is useless to evade the matter in trying to give an account of the dissatisfaction here—which has given rise to the charge that the game Commissioners wish to save the game for sportsmen. They have spoken so much of the amount of money which sportsmen leave here—where money never has been the popular standard in game matters, but the equal rights of all to fish and hunt—that their statements, however true they may be, because they run counter to the feelings of the people, have helped in arousing opposition to sportsmen. All the classes of residents whom I have heard speak on the subject agree in this: they have no game to sell—they do not know any one who has any; sportsmen may come as much as they please and take their chances with other folks, but no game will be saved for them; game is free here and will be as long as it lasts. It is the Commissioners, not the people, who have talked of the amount of money sportsmen leave; no one else sees millions in it; and if there were a thousand dollars for every head of game killed would not satisfy us that any man has a right to kill game animals wantonly and waste them. "Sport" is a term not understood here. The condemnation of waste is universal, and the chief reason why sportsmen as a class are not welcomed with more than toleration is the inexcusable waste of game, of which they have been guilty these many years. "A mink, an otter, and a sport," the saying runs, "are the only creatures in the woods that will kill more than they can eat."

For the lack of cordiality shown toward sportsmen as a class, they themselves are responsible; for as a class they have broken our laws, transgressed our customs, interfered with our lawmaking, tried to raise class distinctions both by urging special privileges for non-residents and by their bearing and words while here. These are true charges; and yet, so far as I am aware, they have not produced any other influence adverse to sportsmen than a failure to respect them as a class. There has been a marked change within a few years in the way sportsmen are spoken of by the guides, who know most about them. Formerly it was "the gentlemen I was with" or "the man I was guiding for;" but now it is, "the sports I had last fall," or "a city dude that was here," or at the utmost stretch of civility, except when some always-welcome guest is spoken of, "the man that was with me." These phrases indicate exactly the popular feeling which rages on contentment if it does not pass the line of it—for the majority of those who come here to hunt—not of the tourists and anglers, for I am not speaking of them. This is the figure at which sportsmen by their own actions have placed their valuation; it expresses toleration rather than regard or ill will. The bad feeling felt toward sportsmen is caused by something of which I cannot but think them ignorant, though their actions here do not tend to disarm suspicion on this point. It is impossible that they should know what we know about the management of game matters as conducted in this State, or that the laws are not enforced against non-residents in the same way that they are against residents. We have known it so long that we forget that every one does not see the same, and sometimes suppose that non-residents who come here in summer have an interest in continuing the present state of affairs. That this is unjust both to visitors and Commissioners, does not make it less harmful to them; for there is no mistake about the fact of partiality in the administration of the laws, and the only way in which this can be accounted for by those who know only one side of matters is that the Commissioners know it, the visitors wish it, and the object is to save the game for those who pay cash for it. "Transferring it from rural to aristocratic hands." This arouses the bitterest feeling against sportsmen, and it certainly is as much for their interests as for ours to know the facts and to be able to show that they do not desire any such thing. Just where the error lies I will show later, but as to the justice of the ground on which the complaint is based, did any one, on thinking the matter over, ever see a warden in the woods anywhere over the whole Moosehead, East Branch, West Branch and Allegash country—the greatest hunting ground in the State—before the first of October? It would be strange if any one did, for not only have we never heard of it, but on the 31st of March of this year, when my father asked Mr. Stilwell personally if he ever had sent a warden into the woods during the summer months, Mr. Stilwell did not mention a single case. And yet this is the time and this is the region, when and where the majority of visitors from outside the State go to hunt, and it is well known that they kill large quantities of game illegally and waste the most of it—that they have come for this purpose. But wardens are active in winter, and the same visitors who broke laws in summer with utter disregard, are urging them to exterminate the race of "crust-hunters." Is it strange that this having been the case year after year, the people here should declare that all the visitors wish is to be allowed to do as they please, and that they hire the wardens to let them alone?

I can show another way of explaining the matter without necessity of claiming that this ugly charge is correct; but it will be very much for the advantage of sportsmen who come here to disprove it themselves by demanding that good and trusty wardens be placed in the woods

The descriptions of the habits of the birds are full of life, and breathe the true spirit of the open air. In most cases where the nests and eggs of any species are described they were taken by Col. Goss, or by his brother, Capt. B. F. Goss, in whom he had a sympathetic and able coadjutor.

We regret to say that the illustrations in this volume are not worthy of the text—a fact which Col. Goss appears to have realized, for in a note appended to the volume he expresses regret that in many of the plates the figures do not come out as they should. Where the birds figured are large, the representations are sometimes effective, but it is evident that, for figuring small birds directly, this process is by no means satisfactory. With the smaller species it is often quite impossible to identify a bird; a guess can be hazarded, but that is all.

We notice, too, more typographical errors than should have been in such a volume as this, errors of ordinary proof-reading as well as errors in the scientific names of the species. In a volume of nearly 100 pages like the one before us it is inevitable that some blunders of this kind should occur, but they are none the less unfortunate.

Notwithstanding these minor blemishes "The History of the Birds of Kansas" is a most useful contribution to our knowledge of the bird life of the central West.

**WOLVES IN FRANCE.**—Many people every year, no doubt, read with surprise in their "Robinson Crusoe" the account of the attack which wolves made upon his party as they were coming down the Pyrenees into France, and wonder a little that those wild beasts had not been exterminated at so late a date as a couple of hundred years ago. Such readers will find cause for still greater astonishment in an article which appeared in the *Revue Rose*, of Feb. 7, and which gives a good deal of curious information about the existence of wolves in France at the present day. No less than 315 of these animals were killed in the battues of the year 1880, the Exposition year. In several parts of the country they are a serious nuisance, killing sheep, destroying the little game that still exists, and even attacking human beings. General battues have been held twice a year, in March and in December, for two hundred years and more, under the direction of the lieutenants of *houchevies*. These officers are appointed by the chief of the State upon nomination by the Minister of Forestry, and, apart from their official character, seem to be much like English masters of the hounds. They are taken from the class of wealthy land-owners, keep up at their own cost an *equipe de chasse*, and serve without pay. In return they had up to 1882, the right to hunt stags, boars, and hares twice a month in the State forests. This privilege is now restricted to wild boars only. Within the last ten years attempts have been made to exterminate the wolves altogether. In 1882 rewards were offered of 200 francs for every wolf, male or female, known to have attacked a human being; 150 francs for each *loup pleine*; 100 francs for each *loup non pleine*, and 10 francs for each whelp. These rewards were paid in 1889 for 86 animals killed in Dordogne only, and 79 in Charente. In 1888 the numbers were: 100 in Dordogne, 50 in Charente, 53 in Haute-Vienne, 29 in Meuse, and 26 in the Vosges. The north of France, the centre, Normandy, and the basins of Paris and on the Rhone appear to be the only regions that are quite free from them. According to the writer in the *Revue Rose*, the last wolf were killed in Scotland in 1680 and in Ireland in 1710.—*New York Evening Post*.

**WILD GEESE AND ELECTRIC LIGHTS.**—Ottawa, Kansas, April 1.—This season has been very wet so far, in fact there has been more rainy weather crowded into it than we have had in a like season for a number of years. I suppose this is the reason for the immense flight of wild-fowl last Saturday night, as we have not had many ducks for several years until this spring. On that night it seemed as if the sky was filled with ducks and geese. The night was still and dark and as the birds flew over the city some of the geese would get bewildered by the bright light of the electric lamps and circle round and round the light, squawking as if lost. The ducks do not seem to care for the excitement of city life and go quietly on their way, but a goose is so supremely curious that he can hardly pass an electric light without flying round and examining it. About two years ago there was a terrible thunder storm in this city and vicinity, during which a flock of geese, numbering probably 200, entered the city and soon became bewildered by the storm. Some of them, it is said, even lit on the roofs of houses; but certain it is that at half past four or five in the morning there was a great flock of geese sitting in the light of the arc lamp, on the corner of Main and First streets, in the center of the town. This, of course, is an exceptional case and would probably never have happened if it had not been for the storm, but why they should be so irresistibly attracted toward a light as to lose all fear of man's habitations, and to alight in the middle of the street, has always been a wonder to me.—F. B.

#### HOW TO GROW MUSHROOMS.

**M**USHROOMS are usually regarded as high-priced delicacies, yet it is not a difficult matter to cultivate them, if only the methods to be pursued are known. Nothing satisfactory on this subject has ever been published in America until now, but in the present work we have a little treatise which renders mushroom culture easy, and should result in making this delicious plant much more common than it is at present.

Mr. Falconer's practical cultivation of the mushroom has extended over many years and his experience entitles him to speak with authority on this subject. His directions are full, explicit and detailed. He does not, like most writers, familiar with a subject, take a good deal for granted, but tells of all the minor points of the subject, from preparing the bed up through planting the spawn to gathering and marketing the crop. Nor does he confine himself to instructions for growing the mushroom on a small scale merely, but he gives ample directions for cultivating it for the market. Plans for the construction of mushroom houses are given, the diseases which may attack the plant described, and generally the subject is gone into with a fullness and clearness which leaves little to be desired.

The cultivation of the plant in England and France is described, and finally there is a useful chapter on cooking mushrooms.

The book is one which certainly ought to have a place in the library of every dweller in the country.

\*Mushrooms—How to Grow Them, by William Falconer, cloth, Orange Judd Co., New York. Price \$1.50.

**A BOOK ABOUT INDIANS.**—The *FOREST AND STREAM* will mail free on application a descriptive circular of Mr. Grinnell's book, "Pawnee Hero Stories and Folk-Tales," giving a table of contents and specimen illustrations from the volume.—*Ado.*

Revenue to the State from Sports not local. Commissioners

large charge

next summer. If they do not do this before next July, very few in this State will disbelieve the charge. If I seem to neglect the fact that people from outside the State have been fined before now, it is not because I have forgotten it; this is a broader matter. For the half of the year when non-residents are here and the laws are constantly violated, no attempt is made to enforce them, as we know and the Commissioner admits; for the half of the year when few except residents are in the State, they are at least partially enforced. The people here demanded that the laws should be uniformly and justly executed, and yet matters have grown worse every year. It now remains for the summer visitors to state openly whether they wish them enforced in summer, and to do it over their own names, so that we may know who they are. For every one who comes here is known by a larger circle than he is aware of. He sees very few of the residents, knows next to nothing about them, and thinks that they know as little of him. On the contrary, no one comes here whose whole cruise is not known by at least twenty residents, sometimes by hundreds. What he has seen done and said, what kind of a man he is and all the particulars concerning him, are told from one guide to another, are discussed in a dozen lumber camps during the winter, are told again on the drive in the spring, and then are carried to a score of different towns to be talked over by the inhabitants. Instead of being done in a corner, what he has done is better known than if it had been published in the daily papers. Next fall is to be the decisive time in game matters in this State, and it is necessary that those who speak should speak right and then should live up to their professions.

Of the charge of unconstitutionality of the laws I will not now speak, since as I understand it, it is directed rather against interpretations of the laws than against their explicit meaning as they are printed, and the present discussion is a consideration of matters affecting sportsmen from outside the State rather than local topics.

A subject of much interest to sportsmen, if they could hear it discussed as it is here, is the way game matters are managed in the Legislature. Abundant discontent prevails. It is claimed that petitions sent in by the people are disregarded; that officials are bought up, that log-rolling and wire-pulling are openly practiced, and worse practices are carried on behind slight screens, while the whole is controlled by railroads, hotels and politics. That these charges are unreasonable and exaggerated is not to be denied; that they are baseless is another matter. We have only too good reason to fear a substantial truth at the bottom of some of them; for, speaking plain-heartedly, non-residents have too openly declared an interest in our game legislation for us not to take them at their word. Mr. J. F. Sprague, of Monson, Maine, writing in FOREST AND STREAM in October, 1883, says of the sportsmen who came here at that time:

Instead of these laws failing to secure the approval of this class, they have ever been their truest and most staunch and reliable friends, and in more than one instance these "professional men" from other States have inspired or originated the acts which are now the very laws so despised by "Olibo."

In the FOREST AND STREAM for Oct. 30, 1881, "Special" writes:

The request to change the beginning of the open season there [in Maine] to Sept. 1 will come from some of the leading sportsmen and friends of game protection in Massachusetts, Rhode Island and Connecticut. . . . The request for change will come from sportsmen who desire to add shooting to the fall fishing.

and was very well supported, but was hardly a popular measure, and was not primarily intended to benefit the people, but to increase the number of moose available for sportsmen. Mr. Way saw the need of this. The previous winter he had stayed six weeks at Haymook Lake in the camp of Mr. Gardiner G. Grinnell, of New York, and Capt. Samuel Cole, of Greenville, trying to kill a moose illegally. To illustrate how the law was passed let me quote from a private letter written by a prominent game club man to Mr. Way, who showed it to my father: "Don't get up petitions, for that will stir up the opposition of the country members. Get the right men at Augusta fixed and rush it through, for it is hard to unmake a thing after it gets to be a law."

This is not the kind of legislation that does much good here, and friends of game protection will be doing a favor to themselves and us if they try to discourage it.

FANNIE PEARSON HARDY.

ERRATUM.—I notice that by a mistake in copying my last paper I wrote that the caribou horns were sold to the station master at Mattawankeag, when I should have said at Kingman, which is the next town above.—F. P. HARDY.

#### LASSOING A BEAR.

VENTURA, Cal., March 25.—*Editor Forest and Stream:* The following is from the *Ventura Daily Free Press* of to-day's issue. I can vouch for its truthfulness, having known Ramon Ortega for sixteen years, his veracity being unquestioned, and to-day, having heard the story from his own lips and examined the trophy. He is renowned as a *vagüero* and bear hunter. This is the story:

"Ramon Ortega lassoed a big black bear yesterday and choked it to death. He is the most noted bear hunter in southern California and several days ago when he began to lose some of his stock on his ranch at the head of the Sespe, some 50 miles from Ventura, he started out to hunt for the thief. Early yesterday morning he discovered him in the shape of the bear, in a little narrow cañon, and although without firearms, so soon as he caught sight of the monster he spurred up his horse and gave chase. It was a short race, for as soon as distance would permit his lasso went circling about the head of the bear and caught him about the neck. A few dexterous turns of the horse soon choked the life out of the animal, and Ortega, as a trophy, cut off one of his paws and brought it to town with him. It measured seven inches across and eleven inches in length. He tells as a fact that in 1894 he and his brother killed 56 bears in one month about the regions where Bard-dale, Ventura county, is now laid out, and they were all killed the same way as the one yesterday."

Six years ago, while crossing the trail with his ten year old son, to this same ranch, he came face to face with a she grizzly and her two nearly grown cubs. He was armed with a Winchester, but had only five cartridges at hand. He succeeded in killing the three bears with the five balls, the last of which was sent through the enraged mother's heart as she reared to embrace Ortega's son, who had been dismounted by his frightened horse.

A. J. COMSTOCK, M.D.

#### WHY I GO HUNTING.

*Editor Forest and Stream:*

Some weeks ago your Chicago correspondent gave some good advice to sportsmen who were engaged in a business

supply of deer. I killed one deer last fall at 200 yds. and one at 225 yds., and felt better over it than I would to go into a farm yard and kill a dozen—beg pardon—I mean, kill a dozen standing deer, as they were both on the dead run over logs and stumps and through brush.

I have added fishing to my list of desirable sports, not because I can get many days actual fishing, but because one can spend so much time getting ready before the sea-on opens and so much time lying about it afterward.

I throw a fly just as I shoot. Plenty of men can beat me at both, but what of that? I can get as much fun out of a few days in the woods, along a trout stream, or on the prairie, as any one. I claim that I can do more work in shorter time and do it better than before I took up hunting and fishing, and there are thousands of over-worked business and professional men who could say the same if they would only give hunting and fishing a trial.

What business has a man whose father was a blacksmith and grandfather a farmer, and great-grandfather a carpenter, perhaps, to think that he can sit at an office desk day after day and not suffer for his foolishness sooner or later? The most extravagant thing a man can do is to work himself sick; the next worst thing is to think he can do good work when out of condition. Plead with your readers to treat themselves at least as well as they do their horses.

DUPLEX.

#### WILDFOWL IN OREGON.—IV.

IT is said that all true sportsmen abhor a pot-hunter, and that no gentleman will pot a duck. But they all do it. I have done it myself. I have seen the best of them sneaking on to decoys, and have had the pleasure of protesting against some of the most blatant taking a shot at mine. A short time ago, in one of my rambles I came suddenly upon a fine flock of mallards feeding in a little secluded pond near Columbia Slough. Fortunately I was not discovered, and quietly drew back where I could study the situation. My imagination came to my aid and I could see the ducks swimming gracefully around, feeding leisurely, entirely unconscious of my presence and the impending danger. I observed that by going around to the left I could come up behind a little clump of willows within easy range of the game. Here was a pudding and no mistake. With the stealthy tread of a cat I approached my unsuspecting victims. I even got down and crawled. I was nearly to the willows and cautiously peered through them to make sure. The first thing that met my view was a dog sitting there under a leaning willow on his haunches demurely looking out over the pond, and the next thing I saw was a man quietly lighting his pipe. To say that I sneaked back and away, clear away from that pond is putting it modestly; and friend H. does not know to this day how near I came to potting his stool of mallard decoys.

The open season for shooting water fowl in Oregon begins Sept. 1 and closes May 1, while in Washington it commences Aug. 15 and closes April 1. Washington has the best law. Mallard and summer or wood ducks are, as a rule, paired and nesting in April and often in March, while the wood duck shooting must be held, if at all, about the last of August. It is a burning shame and a sin to shoot ducks that are paired and nesting, and every true sportsman will refrain from firing at them, law or no law. The laws of this State must be materially changed and then enforced, and the various rod and gun clubs are disposed to urge the matter at the coming session of the Legislature. We hope that some of the East-

last two days we had getting pretty busy chances, on the farm, but as we did not kill we had not dared.

When we made up that we would capture had been as short of escaped had carried had, for there was.

It was pretty evident courses: (1) to capture horse, or (2) to kill son.

We started back for little longer before ahead, the loose horse, and the rest of the not gone more than the and I rose a little, standing on a little red to be a cow elk. Only down and dismounted stopped, understanding game. Jack was a cow elk, for I did not want We crawled up to the cow standing there by of our proximity. Stant, and I said so nearly so far as small.

Jack fired at us so as to face us. She had not heard nor seen to Jack, "You must lower." He shot and had been struck by the and rode over as if she her we could see the animal, in the first where we had seen and not a cow. He creased, the ball from which a drop guessed what the star and jumped off my her throat. She knive touched her, but was dead.

A little further on were some willows and disposed of about. The remainder kept camp, and we never the whole of that man

CHAS. W. NEB.

#### SIERRA

THE past winter By this I mean hunters of game. The started herbage, and refreshing showers part of February, was no time came lower. This gave the dis- the winter under

will go cautiously, and wade the stream and come out by the edge of the woods and see what he is doing. Then I will pass up by the side of the fence to another pair of bars and take the moss out of the bell and tinkle it.

This plan was carried out to the letter. I knew there would be a stone wall between myself and the bull of at least 4ft. high by 4ft. broad. So I walked to the edge of the woods and looked out, and there was the bull quietly waiting for the strange cow to appear. He was 200yds. from me now, and when I got to the upper bars he would be 500. Here I determined to have my fun. The moss was taken from the mouth of the bell and I gave it three or four tinkles. That was enough. Again he came as fast as he could, while I plugged the mouth of the bell and made off in very good time. That is the last I saw of him.

The bell experiment is one that I do not care to repeat. It was too successful as a help to stalking partridges and too dangerous to one who has no ambition to engage in a bull fight. STILLABOY.

MAINE'S NEW LAW.

THE Maine Legislature has adjourned, and the game laws have been vastly improved in several respects. Deputy sheriffs, constables and policemen have been empowered to enforce the game and fish laws. Any of the officers or any game warden can arrest without process any person at any time if found breaking or having broken the laws, but he is bound by a heavy penalty to use all diligence in bringing the arrested parties before the nearest trial justice for examination. All trial justices are also empowered with jurisdiction of such cases. The law against hounding is made more plain and stringent, and dogs that are known to be in the State or kept for the purpose of hunting moose, deer or caribou, may be destroyed and the owner fined. Cow moose are protected at all seasons by a fine of \$100. The having in possession of any game in the legal close season is made a penal offence, but provision dealers, having a place of business in the State, may have on sale at retail during the open season, one moose, two caribou and three deer, which they are permitted to retail to their trade. When these animals are used up they may replenish their stock with the same number again. Transportation is forbidden of moose, deer or caribou in the State, except openly and properly tagged with the owner's name and residence. Transportation of partridges from the State is forbidden at all times. These birds can only be had in possession to be used in the State, and then no person is permitted to have more than thirty at one time.

The fish laws have been so amended that the spoon hook, for taking trout or landlocked salmon, is not prohibited, or at least it is not included in the list of prohibited articles, as it was in the old law. The new law gives the proceeds of fines for infractions to the cause of fish and game protection in the State. These fines do not go directly to the wardens or Commissioners, it is true, but the trial justice who imposes the fine must immediately pay the money over to the county treasurer where the case is tried, and the county treasurer must in turn immediately pass it over to the State treasurer, who must accredit to the fish and game fund, to be used in enforcing the laws. This gives the money virtually for the enforcement of the laws, but removes it from the nature of a bribe direct to the wardens and officers. Perhaps this is well, for the reason that there has been a good deal of complaint in the past that the zeal of wardens and officers has led them to commit injustices for the sake of a share in the fines. But the incentive of a reward direct is removed. The game and fish wardens are to be appointed by the Governor and Council, on the recommendation of a majority of the three Commissioners, and they are to hold office for three years, unless sooner removed for cause. They have the same power as sheriffs, so far as the enforcement of the game and fish laws are concerned, and receive the same pay. It is also provided that no person shall use any sort of explosive or poison for the purpose of taking fish, under a penalty of \$500 and two months imprisonment in the county jail for each offense. SPECIAL.

"PARTRIDGE."

FRANKFORT, Ky., March 22.—Editor Forest and Stream: A writer in your issue of March 19, from Kirwin, Kansas, asks the difference between ruffed grouse and partridge or partridge. Your reply, to my mind, "ain't altogether satisfyin'" as James Mackerel would say, after readin' on peckerel, "it don't altogether fill the aching void."

I've hunted partridge since I was old enough to lift a gun on a straight line—and don't know but what even before that I rested on a stump or rail fence to get a bee line on a squirrel. But the partridges I hunted and the ruffed grouse or partridge you are talking about are not the same thing, by a long jump. In our country—down here in Old Kentucky—partridges, except in mating season, go in flocks or coveys from 8 or 10 to 15 or 20. Some people call them quail—that is, people from other States, and what right have they to name our game birds. Hasn't a man a right to name his own children and his own horses, and why not our wild game? If your mind is bent and fixed on calling a ruffed grouse a partridge, and nothing else, why can't I call a partridge a partridge, and nothing else?

Seems to me there is in your reply a scent of boyhood days coming across the clover. That's the way you were born and raised, and that's the way, consequently, you are going to have it. Well, I was born and raised where ruffed grouse were never heard of and where the thing you call partridge were never known—unless it was hiding under the nick-name of "pheasant." May be it was.

Down here we call a little striped animal that is found in the Michigan woods by the thousand—a ground squirrel. Up there they call him a chipmunk. Down here we call a little stream bit, wide a branch or creek—up there they call it a river. Down here we call a pool of water 100yds. long a pond—up there they call it a lake. Down here we call a brown-colored, long-billed, uncatchable bird that hangs about muddy banks a "shite-poke"—up there they call it a water-hen. Down here we call a comely, eatable fish with a full optic and golden, hickory or lead color, a salmon—up there they call him a wall-eyed pike. When "Kingfisher" was ruminatin' down in Tennessee a year or two ago he caught a fish known universally down there as a "pek fish." Sending it to one of your big scientists, he pronounced it a "muscalong."

Now, who's goin' to give way and surrender his natural

born rights? I've seen partridges by the thousand and killed 'em by the hundred—in fact, with the help of another Kingfisher, have killed as many as 20 out of one covey (nary one on the ground) and what's the use saying they weren't partridges? If a ruffed grouse can be a partridge, why can't a partridge be a partridge?

I believe in equality on game matters—equal rights to all and exclusive privileges to none. If a Kansas man calls a certain bird a ruffed grouse and the FOREST AND STREAM calls a certain bird a partridge (in the memory of shootin' days) and a Kentuckian calls a certain bird a partridge—who's right and who's going to win the pot?

It don't make any difference if the birds are not exactly alike. What I'm after is, who's got a right to give the name and call them by the name they give? Aren't we all sovereigns—and can a sovereign be hampered on the matter of partridges? From the time I was born till I got to readin' books published somewhere else, I never knew the plump, neat, shy, quick, toothsome bird we found in the stubblefields, woods and briar thickets as anything else than a partridge. I claim that name as a natural, indefeasible, undyin' right that shall last forever and ever. If a woman on "Hell-for-Sartain" Creek, in Kentucky, calls her offspring that kicks and yells as she spansks him, a "brat," and an Indiana woman calls her off-spring "a baby," and a New York woman calls hers "an infant," and a Montana woman calls hers a "pappoose," who's goin' to hinder 'em or make 'em afraid? Who's goin' to swear they don't know what they are talkin' about? If there's any discrimination at all, it ought to be given to the one who can show he first named the bird and gave it identity, and let him crowd out the balance. If that proposition is accepted I'm goin' to strike for Dan'l Boone, and Simon Kenton and the other buckskin fellows who came from Virginia, until I reach George Washington, and that ought to settle it. If Noah Webster is mixed on the partridge question, as our Kansas friend says, ain't every other man entitled to his free opinion in this glorious country of ours?

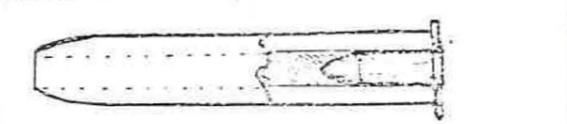
Why, up in Vermont they call a cow a ke-ow; down in East Tennessee they call a regiment a regemeeent; over in Indiana they call pies cookies; up in Pennsylvania they call a porocat a skunk; over in Connecticut they call a bar a brum; and in West Virginia they call silver perch by the name of Campbellites. Then what's to hinder me from stickin' to things as they were and callin' a partridge a partridge, or if you want it that way for euphony sake, a patridge? OLD SAM (of the Kingfishers.)

[Reference to a map of the United States hanging on our office wall shows that Rockingham, N. C., lies southwest from Frankfort, Ky., in a beeline less than the width of this line of type. If "Old Sam" will buy a ticket for Rockingham and there hunt up our correspondent "Wells," he will go back to Kentucky and ever after call his "partridge" a "Bob White."] ]

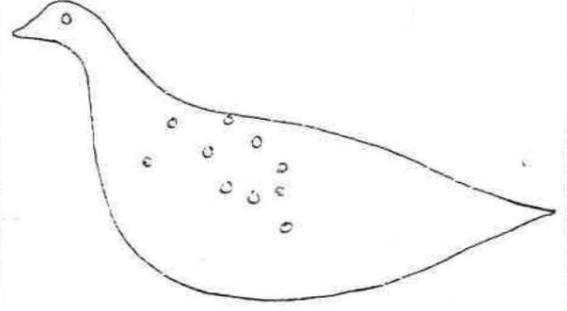
TO HELP OUT THE POT.

At a recent dinner of the Boone and Crockett Club Mr. E. P. Rogers, of Hyde Park on the Hudson, exhibited a very neat device, of his own invention, by which the big game hunter can without change of rifle shoot birds without making noise enough to disturb large game that may be near at hand. All large game hunters know that it often happens that days may elapse after starting into the woods or mountains before any fresh

meat is killed. It is therefore the practice of some hunters to carry a shotgun or a small rifle for the purpose of killing grouse, which are frequently met with in hunting. It is a bother to carry a shotgun, which is very noisy, and it is a bother too to carry a second rifle. To do away with the need of a second gun Mr. Rogers invented the attachment which is figured below.



It consists of a solid steel shell with a chamber in the butt large enough to hold a .22-cal. shell and a rifled bore, very short it is true, yet long enough to carry the .22-cal. ball with reasonable accuracy for a distance of 10 or 15yds.



Mr. Rogers has used this apparatus with great satisfaction and success, though of course the range of the little ball is comparatively short. This is not important, however, when we consider that in a wild country birds, whether they are ruffed, blue or Canada grouse, are extremely gentle.

With regard to the device Mr. Rogers writes us as follows:

When hunting in the Rockies and Canada, it has been a source of considerable bother to have to lug along an extra outfit for feathered game, generally a 22cal. rifle, and while moose hunting one fall, when there were lots of partridges about, it occurred to me that a reducer could be made that would obviate the above difficulty. The accompanying sketch of a grouse illustrates its success and its execution. The reducer shown herewith is for my .45-85 rifle. It is 2 1/2 in. long and weighs 1 1/2 oz. It discharges a .22 central fire cartridge. I carry 4 to 6 of these steel shells loaded in my belt with the larger rifle shells, and before the last one is fired my Indian can have the discharged ones reloaded and ready again. I have fired over 100 shots from one reducer. I should never think of going after big game without a supply of these useful little fellows to "help along the pot."

SIX YEARS UNDER MAINE GAME LAWS.

IV.—ON THE WASTE OF GAME BY SPORTSMEN.

Editor Forest and Stream:

I think that in my last paper I brought forward evidence enough to show that sportsmen from outside the State have been influential, if not mainly efficient, in bringing into the code of Maine game laws many of their present features. I asserted that, though equally responsible with us for the proposition and framing of these laws, sportsmen as a class had brought discredit upon themselves by inexcusable violations of the laws, involving the waste of large quantities of game and that, moreover, though this was known, they had not been held to account for their deeds in the same way as residents of the State—two circumstances which have aroused bitter feelings against sportsmen, the first because it is a direct affront to our ideas of economy, the latter because of its unfairness.

That laws have been proposed and partly carried through by outsiders no one will have the temerity to deny in the face of the facts that might be furnished, but it may be claimed that I have not proved either the waste of game by sportsmen or the partiality in the execution of the law. For the latter, since the Commissioner's silence may be taken as presumptive proof of the assertion, it is enough to ask if any one ever knew a sportsman, visiting in the summer or fall the section of which I write, to be arrested on evidence that the warden gained personally in the woods without the aid of an informant, excepting only that case at Gassobee's where the three wardens arrested, by mistake, on a warrant sworn for "Jonathan Darling and others," three sportsmen who gave their names as Doe, Roe and Poe, supposing that they were capturing Darling also, who proved not to have been of the party at all. Rarely wardens have gone into the woods in the fall to make seizures of hides, and a few times to Niatowis to watch for Darling; but none have been stationed at important points to patrol the game country and prevent the illegal destruction of game. Prevention never has been sought, but only the occasional capture of an offender after the harm was done.

On the former of the two points—that sportsmen kill large quantities of game illegally—I can satisfy even the sportsmen themselves. They will hardly challenge the statement that nearly all the game that is wasted is killed by non-residents—in summer, sportsmen; in winter, Canadians. But before taking up this point, a word may be necessary to explain why residents of the State seem to put less stress on the illegality of breaking game laws than on the wickedness of wasting game.

In our eyes, however good it may be, a game law is not founded on moral distinctions; to break it is a misdemeanor, but not a crime nor a felony, and no wrong is attached to the violation when it is done to supply necessities. At the most, it is a transgression of a standard put up arbitrarily, whose violation involves no moral wrong doing, except the technical one of acting differently from the tacit agreement made at the time of its enactment. That this is a wrong is not to be denied; but here comes in one of the bad effects of having laws of doubtful origin. With the increase of the conviction that our laws have been tampered with by those outside the State, has spread the denial of the moral authority of those laws, until at present it is frequently asserted that it is not wrong to

present it is frequently asserted that it is not wrong to break a law which was not made by one's representatives. That the laws are good, in the main, does not materially alter the public opinion on this point. The present situation is sometimes compared to that in Boston just before the Revolution, and it has been not unwittily said that the cause of the discontent is the same as then, taxation without representation. Be that as it may, there is very little compunction felt here about breaking a game law when any one wishes to do it—sportsmen and residents are at one in this. But the residents are restrained in one way which does not seem to affect visitors. The people of Maine consider it a sin to waste food. They might break the law with untroubled consciences; but they could not persuade themselves that there is any excuse for wasting what they got, even if they obtained it legally. Sportsmen evidently do not feel so, and here arises a difficulty. To illustrate: We can understand perfectly the temptation to a sportsman who sees a cow moose splashing through the lily pads a few rods away—how the destructive instinct of curiosity, as in a child, almost forces him to shoot unless there is a wholesome certainty of detection and punishment—that is the temptation to an illegal act. But how a man can shoot at a moose when he knows he can use but 50 lbs. of the meat and that he must leave several hundred pounds equally good to spoil, is beyond even our imagination; that is a positive sin, and if the man is a man he will not do it. We never forgive those who have done it. We never quite trust them afterward. The man who has not sufficient self-control to hold himself from taking life unnecessarily, lacks the poise which makes a man well-balanced and trustworthy, and by a subtle undercurrent of thought is set down as lacking courage also. He is a "sport" (the word is abominable, but it supplies a lack and tells the kind of man meant and the feeling entertained toward him).

The mistake that seems to have been made by many visitors is that they have paid for the game and are at liberty to get as much as they can—as if it were a lottery, the amount of the prize not depending on the value of the ticket but the luck of the drawer. We claim, and we certainly are right, that they have paid nothing at all for the privileges they enjoy, and have no right to any more of the game and fish than they can use or legally carry away. They have paid the railroads a certain sum—for transportation; they have paid the hotels—for board, which they must have paid at their homes if not here; they have paid the guides—but it was for transportation and personal services. If they had been capable and willing to undergo the hardships, they might have walked hither carrying their own packs and eating wayside berries, with theoretically no expense to themselves. Would they have been paying for the game then? Not one cent has any one paid for the right to fish and hunt; it is a gift from the people of Maine. We say that the sportsman has no more right to kill game on account of what he pays out while he is here, than he has to shoot farmers' sheep and cows when he is on a railroad train on the score that he has paid for his ticket and meals. Whoever owns the game, the man who lives outside the State certainly does not; but he is given the same rights which the prob-

able owners assume for themselves—the right to feed himself economically at a certain season, a limit being set which is supposed to be liberal enough to provide for all his necessities. It is considered here that it is an unscrupulous act to take all a man has because he offers all any one wants; and so when a sportsman kills a moose where a deer would serve him, or a deer when trout and partridges would suffice, he is doing a wrong act even though the law allows it, and an outrage to hospitality.

This is the ground of objection to waste of game: First, morally wrong; second, ungrateful. That the charge of sportsmen wasting game is not unfounded will be proved. Instead of giving individual instances for each year, I will abbreviate by quoting from the Commissioners' reports and FOREST AND STREAM, when I know that the statements agree with facts that have come to my notice.

The Commissioners' Report for 1883 says: We have been credibly informed of three moose wantonly shot down in hot August weather by a party of whites (we will not name them) when even the trophies could not be pleaded as a temptation, as but one bore horns. Of other as flagrant cases, committed in the same season, we are in possession. The destruction of this valuable game is greater by residents of our States than by our own, while arrests and convictions are mostly of our own citizens.

The Commissioners' Report for 1884 says: All the severity of remark that the Commissioners felt warranted in uttering last year in relation to the acts of summer visitors, has been more than borne out, more than confirmed by the experiences of the year. We again repeat, the meanness and infamy of the acts seem to be in almost direct ratio to social position, education and profession. The law has been better observed by our own citizens than by visitors from other States.

This is supported by what "Special" says in FOREST AND STREAM, July 19, 1884: Concerning game protection in some sections of Maine, matters are not just what they should be. Just such sportsmen are carrying the friends of game protection a great deal of trouble. They demoralize the worst and lowest class of the guides with their money. They care nothing for the future of the game; they are not citizens of the State; their only object is to kill a deer or a moose and come home to be regarded as a great hunter by their friends.

In FOREST AND STREAM, Oct. 30, 1884, "Special" says: There has been some hunting of deer with dogs, but generally by persons living out of the State, and the law fails to reach a poacher of this class. He kills a deer in close time or with dogs and escapes from the State; his crime is regarded as of too small magnitude to be brought back by requisition, and he steers clear of Maine soil ever after. A few cases are also being worked up by the authorities where deer and caribou have been killed upon the season opened. These cases are also generally from out of the State.

Because the Commissioners and "Special," who has always exactly reflected their opinions, have ceased to speak thus plainly, it may have been supposed that the evil has ceased within a few years. It has not. It has increased proportionately to the increase of the visitors if not faster. Fish, it should be said, are not wasted as formerly, but in the palmiest days of skin hunting the slaughter of moose sometimes was no worse than it has been this year, and fewer deer and caribou were killed then because there were almost no deer and caribou in the State. Leaving the gap between '84 and '88 because it would take too long to give the history of those years, I may come to what I have seen myself in 1888 and 1889. Of course, my own experience is very limited, and would be worthless if not borne out by the testimony of many others. We were in the woods these two years in the months of

We were in the woods these two years in the months of August and September, when it is illegal to kill any game animal. We traveled as rapidly as possible along the main routes, not going into the side streams and remote places where sportsmen were going and were at that time staying in numbers, and where they did most of their hunting. We endeavored to ask no impertinent questions of those we met about their business or what they had seen. And yet in 45 days, of which 5 were Sundays, when we did not travel, 3 were spent in travel on railroad and steamboat, and 7 days' time lost by foul weather or other circumstances which kept us within a few rods of the tent, leaving 30 days of actual travel, we knew of fourteen violations of the game laws, which may be tabulated as follows:

- Four deer, wholly saved, by residents of the State.
- Two deer, at least partly saved, one by resident, one by non-residents.
- One deer, probably partly saved, and probably by residents; the names were left, but not where they lived; the size of the party would indicate that most of it was eaten.
- One deer, mostly wasted, by sportsmen from New York.
- One caribou, all wasted except one hip, by sportsmen from outside the State.
- Two deer, without even a pound of meat cut from them, killed by "sports."
- Three deer, moose or caribou, not seen but smelled. From the stench, probably the whole, or nearly the whole, was wasted; from the location, off the line of travel of residents and far off from any houses, probably killed by sportsmen.

All but the last five were actually seen, and of the last three we had sufficient olfactory evidence; the two deer wholly wasted were shot between Aug. 22, when we passed down the West Branch, and Aug. 27, when we returned to Chesuncook, where we were informed of the case by one who had examined the deer carefully, and said that they had no mark on them except the bullet holes. We also saw trout and whitefish left to waste—not even thrown into the water where the eels could get them.

This is my own experience. I have compared it with that of others, and will present some extracts from letters giving the opinions of men whose information is probably as great as that of any man in the State.

This comes from an experienced woodsman, not a guide, living at the foot of Moosehead Lake, and so situated that he knows what is done in the woods at all seasons: I think there is a great deal of large game killed and wasted by summer visitors. What is killed by our own people is made good use of, which is far better than some of the sportsmen do, as they shoot it down and never touch it. I don't think there are many fish wasted by sportsmen; the guides look after this pretty well.

This is from the head of Moosehead Lake, a point which seventy-five out of every hundred who go into the great game country of the West Branch, Allegash, and East Branch must pass. It contains a good word for sportsmen which I am happy to repeat. The writer's knowledge and veracity cannot be doubted: It is my opinion that ten times as many moose and deer are killed in the summer months as there is killed in open season and east-hunting together. There is a growing tendency among the better class of sportsmen to come in the open season. There were more parties left killed for the woods after Sept. 25 this year than any two years before.

One reason for this probably was that the full moon came very late in the month, which made moose calling begin later than usual.

This comes from the neighborhood of Chesuncook: Nine-tenths of all moose killed here and near Chesuncook are wasted except skins. I know of the last season of more than twenty-five moose skins being taken out to sea and only a part of them were brought out to use.

It may be said that probably most, if not all, these moose hides were taken by one man who stays around Chesuncook. He has killed this year certainly twenty, probably thirty moose, and some reports which investigation has disproved would make the number much higher. This shows who kills the moose? Hardly. As usual the man is not a native of the State, but in this case happens to be a brummer from the Provinces. Our native-born white hunters do not kill game to waste. As the man who wrote the letter quoted from above, says: People living here, citizens of the State, do not kill to waste, but Canadian hunters do, and most of the moose hunters are Canadians.

A guide who has been a great deal on Passadumkeag waters, writes: Last summer more than one hundred deer were killed and wounded on the Passadumkeag stream in the months of July and August, and I saw lots of them rotten on the shore.

Although not so stated, this must have been done principally by sportsmen. The dogs do not go to work so early, and do not run deer into the streams but into the lakes. The fact of the deer being killed on the stream shows that they were shot while feeding in the water. Settlers would not have left the deer to spoil after killing them. I have been told of two sportsmen who went to this region to fish in July, and who killed six deer in spite of all that the guide could do or say against it. When we were in there we saw no sign of waste, except the fore-quarters of two deer which had been skinned out and left. Most guides, it may be said, would not call this waste, because the fore-quarters of a deer are small and light compared with the "saddle," and are not as good meat.

Instead of quoting what I have received from Aroostook, I prefer to repeat what some one who signs himself "Back-woodsman" writes in *Shooting and Fishing* for April 2, 1891; the sentiments are the same: Almost all of the violations of the law in summer are done by tourists and fishermen while going the rounds of our lakes and rivers. They are armed with repeating rifles, and shoot at every living thing they see, whether it be a muskrat dog or a chickadee. This is no fanciful sketch, but plain, unvarnished facts, and I claim these are the most despicable of poachers; for what they kill is left to rot, while the native crust-butter usually takes his ill-gotten gains to his family, and in a good many cases is the only meat these poor folks have through the long, cold winter. The latter class are the ones usually caught, as they make more tracks in snow; while those on the water, in a canoe, with a good fat purse to bribe the guide to silence, go untroubled. As a general thing, there has been more poaching the past winter than usual. The law violators attempt to justify themselves by saying if they do not kill the game, the tourist will.

It certainly is true that more game has been killed this winter in close time than for many years, but it has not been by accident nor entirely because the snow has been deep. It is an avowed retaliation for the enormous waste of game last summer and fall by sportsmen. In November I knew as well that it would be done as I do now that it has been done. Any one who was in the woods last fall could not fail to predict it if he knew anything about the waste and the feelings of the people. And next winter the same will be repeated unless sportsmen reform very suddenly.

Concerning the waste of game in 1890 by sportsmen, it is enough to say that it has been unparalleled. Without touching at all upon what has been done the length and the breadth of the State, I will give a few facts regarding what has been done in the immediate neighborhood of Chesuncook Lake. And I will quote from only two men, who write only a part of the cases they have known this year. I asked only these two in that vicinity for information because there was danger, if I asked many, of getting the same instances repeated again and again and thus making the case appear worse than it really was; for, of course, no one could tell whether five independent witnesses going to these different ponds and lakes saw the same cases of waste or different cases, without going into a more extended investigation than the importance of this case warrants. Therefore I call on but two who tell only a part of what they know and confine themselves entirely to cases where the meat was wasted. The first says: I went to Duck Pond to get some fresh meat myself and I found three moose dead that had been killed some ten days there, only one hindquarter taken. Mr. Hosford and wife went to Cusabeis Lake on Sept. 25, they found two large ones there left. I saw one left at Mud Pond and at the foot of this lake, and at Harrington other people saw the remains of six.

Here is a perfectly trustworthy man who tells of thirteen moose which he has known to be wasted, and twelve of the thirteen killed on four ponds or lakes lying within the limits of three adjoining townships. He makes no mention of deer or caribou, nor of any cases where only one moose was left in a place, except two which he saw himself. This shows that he is telling the smaller part of what he knows about. But it may be said that, since no particulars are given, a large part, if not all these, might have been killed by Jack Russell, the Nova Scotian renegade, who killed so many last year for the skins. As to the absence of names of the offenders, I particularly stated in asking the information that I wished it for publication and did not want the names; but I think I made it sufficiently clear that I wished to know of cases where sportsmen had done the wrong. We will grant that the above proves only a heartless and inexcusable waste of game; the following shows who was responsible for something similar. This writer knows nothing of what the first had written: Last August a party camped at Mud Pond landing two weeks. It is a well-known fact that there is not a trout-fishing ground within five miles, but they were within easy reach of Mud Pond, Quaker Brook and Caribou Thoroughfare, three of the best hunting grounds on Chesuncook. This goes to show that it was hunting and not fishing they were after. In Quaker Brook I saw the body of a large deer with only the horns taken, and after they left, the body of a moose and a caribou were found in Mud Pond. Near Sept. 1 two calf moose were killed at Duck Pond by a party; they lay about two rods apart. The hides and a small piece of the meat were taken. Near the last of September a party of sports killed a bull and a cow moose on Cancongomic Stream near Little Scott Brook. They camped till October and then brought the hides and head out openly as killed in October. The meat was left. I made a trip to Loon Lake Sept. 1 and saw a dead caribou at the foot of the lake, and got the small of tanned meat in a number of places on Loon Lake and Hurd Ponds. This is only a few cases of a great many that have come to my notice.

Comment seems superfluous. Here are five moose, two caribou and one deer wasted. Four of the eight were

seen by the writer, and all but one are expressly stated to have been killed by sportsmen; for "a party" does not mean Frenchmen, Indians, residents, nor Jack Russell. If they were sportsmen in this case they probably were in the other, for two of the instances referred to by each man are probably inclusive of each other. The three moose which one saw at Duck Pond probably include the two which the other saw a few days earlier. The moose and caribou which one hears of at Mud Pond probably cover the moose which the other saw there. If so, there is no doubt that sportsmen were the murderers. Here are at least eighteen large game animals, principally moose, wasted in the immediate neighborhood of Chesuncook; and if I say that this is one-fifth of the waste on waters that run into Chesuncook last year, I am putting the statement so low that those who know most about it will laugh at the caution shown. This does not include what was honestly eaten whether summer or winter killed.

Besides these thoroughly trustworthy accounts, various reports have come to me from men whom I know to be truthful, but who did not actually see the game. Two different men tell of a moose wasted at Moosehorn Stream on the West Branch above Chesuncook. One of the best guides in the State tells me that his brother saw a cow and a calf sunk in the West Branch between Northeast Carry and Chesuncook, and two others tell the same thing.

Another correspondent writes me concerning what a guide and hunter told him: "— was telling me that he saw a Boston man that was guided by one Joe —, an Indian guide, who shot and killed eight deer in two days and never used only part of one of them, and then he asked his guide if he could not take him where he could find good shooting; and that was last summer. He said that he saw four big moose lying dead just as they were shot by a New York party, and if this kind of work is carried on we know that our game must play out in a short time. There are lots of moose being killed in this section." This account is almost startlingly like a story Darling published; although differing in some particulars, there is no disagreement between them. I do not present it as being absolutely correct, for I have not investigated it further, preferring, since I had the matter at a point where it would be easy to find out the real facts; to treat it merely as an example of the way that the news gets around here. That there is truth in it cannot be doubted.

If enough evidence has not been presented to show that the sportsmen who come here "have brought discredit upon themselves by inexcusable violations of the laws, involving the waste of large quantities of game," more definite evidence with names and dates can be furnished. FANNIE PEARSON HARDY.

WHITE DEER AND BAD LUCK.—Negaunee, Mich.—In reading your valuable paper of Feb. 5, I was much interested with Mr. Hough's account of the white deer, as I had the pleasure of seeing one at Humboldt Station in this county in 1874—a 2-year-old buck as white as snow. It was shot by a deer hunter by the name of Cundy. An old Indian told Cundy it was bad luck to kill a white deer, and that the Indians never kill them as they are the spirit deer. Shortly after that, Cundy was out deer hunting. Somehow or other his rifle was discharged and shot him in the back. He was laid up a long time and came near passing in his checks. There are a number of people at Humboldt that know this to be a fact.—GRIFFIN.

LOOK HIM UP.—All readers of this department are requested to read the communication in our Trap columns of this week, regarding the mysterious disappearance of E. S. Bensecotten, the well-known trap-shooter, late of Shinrock, O. For the relatives of the missing man we bespeak among the trap-shooters of the entire country, and more particularly on the Coast and in the Northwest, every effort to determine his whereabouts or his fate. Let more than idle curiosity govern in this. Will shooters of the Northwest kindly send to this office any information they may have as to E. S. Bensecotten, or E. S. "Brown." He must be found.

NEBRASKA WILLOW.—Edgar, Nebraska, April 8.—The shooting has been fine in this vicinity for some weeks. We have had more than our usual supply of the game, by reason of plenty of water in the lakes and ponds. Canada geese, Hutchins geese, brant, snow geese, redhead, mallard and pintail ducks have been plentiful, and some of our hunters have made good bags. One of our hunters bagged a fine specimen of the whistling swan. It was quite large, being nearly Stt. in extent. We are expecting the dove birds to put in an appearance in a few days.—H.

Camp-Fire Flickerings.

"That reminds me."

IT was in the winter of 1870 that I made my first visit to Florida. At that time railroads were not; the Northern tourists were few in number; St. Augustine was a sleepy old town with no Standard Oil king in sight. The alligator basked quietly on the bank of the St. John, and the white plume of the egret gleamed from every swamp. Bears, deer, and turkey were abundant. At Lord's comfortable cottage at New Smyrna were five or six anglers who filled their boats daily with channel bass, sheephead and spotted sea trout. Almost all those worthies have joined the great and silent majority. New Smyrna then contained three houses and a store, and from the head of the Halifax to the Inlet there were hardly 100 people. Daytona I think was laid out that year. A mile below that hamlet lived a kind of naturalist named Chamberlain, who had a cottage on the river bank filled with skins of beasts and birds, and copper jars of alcohol containing fishes and reptiles, which he had collected for Northern museums. Like that of most men who live close to nature, his conversation was interesting and I often visited him. One day he said, "I think you have not seen my alligator. Come with me and I will show you my pet." We went to a small creek about a hundred yards from the river, winding through a hamak. At one place there was a hole under a high bank into which Chamberlain thrust a pole. The reply was a loud and ugly growl. "He is at home but he won't come out to-day." The pet was a good-sized alligator, seven or eight feet long, which C. had partially tamed by feeding

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for an e weather a heavy and inke sets. C other d: That is, ton, and ley Rail new rail the mar and say: to the t ley by t that the in this Mounta region. Boston Dam, a early. lakes, w the ice r rain als exposed melt i of sho and i able to subside ally fol prolom. Trout was a time t not be stream them t time w the fi those r on fi that f seven most u men w hackle early killed weigh the co from 3. Trap East V on Fa was lo water down this b Game of day by H. sport. At



of a 20 bore, and at the same time that 30in. are best for a 12 bore. The latter is usually loaded with only  $\frac{1}{2}$  of a dram more powder than the former. The interior capacity of a 30in. 12-bore barrel is nearly 12 cubic inches, and that of a 28in. 20 bore is very slightly more than 8 cubic inches. If 8 be sufficient for burning  $\frac{1}{2}$  or  $\frac{2}{3}$  drams of powder, surely 12 are not required for burning  $\frac{1}{2}$  of a dram more.

Some of our best gun makers and practical sportsmen assert that they get as hard hitting with barrels of 29in. or shorter as with those of 30in. Other makers and sportsmen, probably quite as reliable, state that even 30in. barrels do not give so much penetration as larger ones. Douglass, the London maker, says in his book "Shooting Simplified," that he once made some guns of 33 bore with barrels 36 to 40in. long for an Arctic traveler to take as presents to the Esquimaux, and that these were afterward found to kill wild geese at ranges far beyond the reach of ordinary sized guns.

One of your correspondents who signed his name "Cyrtonix," wrote three letters to FOREST AND STREAM about small-bore guns, and said that he found a 16 bore with 2 drs. of powder gave more penetration than a 10-bore with 5 drs. If he used a reliable test for the penetration, the extra power of the 16 must have been due to the length of barrels—31in.

Mr. G. T. Farmer, who wrote two extremely interesting articles in FOREST AND STREAM last July, about the Hudson's Bay territory, might be able to enlighten us as to the killing powers of the guns supplied by the company for their Indian trappers. These were when I lived in Canada in 1861, of 29-gauge, and had barrels from 36 to 40in. long.

One point, which certainly ought to be settled, is whether the recess choke or the muzzle choke is to be preferred. I have several times been surprised at writers in FOREST AND STREAM complaining that choke-bored do not carry large shot, and especially buckshot, as well as cylinders. Three of my own guns, two 16 and one 12-bore, choked on the recess system, have been remarkably good with large shot, but the behavior of the Maynard 28-bore, and the left barrel of the 12 bore used in my last experiments, make me think that perhaps the complaints are not unfounded as applied to muzzle chokes. The 28 scatters all large shot badly. The left barrel of the 12-bore makes very close and regular patterns with Nos. 8, 6 and 4 shot. It throws No. 3 in patches, and with such sizes as BB or A shot it is absolutely useless. With a moderate cylinder, on the other hand, both the 16-bores are splendid performers with buckshot, whether due to their being recess-choked, or to some peculiarity of their boring, I am unable to say.

The weight of the 12-bore, 6lb. 9oz., will be thought ridiculous in America, but with the ordinary charge of 3 drs. of powder and 1 $\frac{1}{2}$ oz. shot it is not unpleasant at a target, and when firing at any game the recoil is absolutely unfeared. Perhaps this is due to there being plenty of metal in the breech and to the barrels' being about the weight of those in 7lb. guns, viz., 3lbs. 5oz.

Here in England we think that our brother sportsmen in America sadly overload themselves with iron. When a man shoots only for health and recreation he surely ought not to have a heavier weapon than he can carry and handle with pleasure at the end of a fatiguing day's tramp. Of twelve shotguns which I have owned during the last 30 years none ever gave me greater enjoyment than a cylinder 16 bore of only 6 $\frac{1}{2}$ lbs. weight. I used it for years at everything, including ducks, and only gave

for years at everything, including ducks, and only gave it up when taking to breechloaders. For all-round purposes, including duck shooting, I prefer a 12-bore of 7lbs., and would not buy one exceeding 7 $\frac{1}{2}$ lbs. at any price, for a gun of that weight will carry the largest charges that the shells will hold without uncomfortable recoil.

J. J. MEYRICK.

DEVONSHIRE, England.

## SIX YEARS UNDER MAINE GAME LAWS.

### V.—VARIOUS MINOR MATTERS.

THE last paper was on an unpleasant topic and needs the relief of the brighter side to prevent misunderstanding. For some will say: Are there no good sportsmen then? And those who have come here and left a record of honorable acts will ask in discouragement, Has all that we have done counted for nothing?

Far from it! To both. There are such honorable sportsmen—to them these papers are addressed. They have done well and it is remembered for them. We look for some of them every year, and are glad to see that they have returned; when finally they shall cease to come, among those who regret their loss most deeply will be some at this end of their accustomed haunts. A man is prized here for what he is, and is judged by what he does; nor need the one who has lived honorably and spoken truly ever fear the judgments of Maine backwoodsmen, or an uncordial welcome to Maine.

I have a curious matter to present, which I can in no way explain without taking into account the influence of such men as these. In the four counties of which I speak there is one that in some ways is so different from the others that at first it would seem it ought not to be counted with them. In area it is one of the largest in the State in population the smallest of all. More sportsmen go there than to all the other three; and in proportion to its area more such enormities as were described in the last article are committed than in any of the other counties. And yet the residents of Piscataquis county do not, so far as I have been able to learn, either feel or speak upon game matters in the same way as those of the other eastern counties. I have not so far found that they were greatly disturbed by the present unhappy state of affairs. At first it would seem that this county ought to be classed with the western part of the State; but in all its interests it belongs to Penobscot waters, and so a different explanation must be sought. What? In the first place some of the grievances of the eastern part of the State have scarcely touched this county; but even so, why should it not sympathize? In the supposition by which I have been able to explain the matter I may be wholly or partly wrong, but it is the only one by which I can account for a noticeable difference. I think that the character of the summer visitors who go there largely explains it. That county includes Moosehead Lake, Katahdin Iron Works and many other resorts more or less known. It is visited by people who go for recreation, for fishing and for hunt-

ing. Now, of those who go for the two former purposes, a very large part stay at hotels or near enough the settlements for the residents to know them personally or to know of them, and a better class of visitors than most of these could not be desired. The people there form their opinion from these. Of those who go to hunt most pass beyond the settlements into the deep woods, and they are the ones whose misdeeds are so widely reported. The eastern counties hear of these principally—much less of those who stay on the borders of civilization. But Piscataquis people know the latter also, and while no less severe in condemnation of such waste and slaughter as I have reported, do not blame the whole class of summer visitors, but the individuals who are responsible. In this way the presence of these well-disposed, honorable men coming to stay for a time and not merely to pass through the country, seems to me to account in part at least for this manifest difference in feeling, and so to be its own reward. Lest a mistake should occur, I will say that by "sportsman" as I have used it, and as it is used in this locality, I mean those with whom hunting is the principal object—not fishermen nor tourists, but those who wish to kill large game. In using it I do not intend to include any other class of summer visitors. Of those who come for this purpose, observation and consultation convince me that the majority come and go in close time and kill what they get illegally; but there are certain honorable exceptions of whom it would be a pleasure to speak if space permitted, but who surely are no more condemned with the majority than are these others of whom we have spoken above by the people of Piscataquis county.

Lest there should be a misunderstanding on another point, I wish to state again that in what I have said so far I have tried to represent other people's views rather than my own, and to give their reasons for these opinions instead of those which I might hold personally. For my own opinions on most of these matters I conceive to be of little value. That I sympathize fully with the people who say these things is most true, but does not make it necessary for me to believe all these charges correct, even though they may not be baseless. I do not believe that our Legislature is wholly corrupt, nor that the game laws have been unfair, nor that all visitors are lawless and all residents are saints—nor, it may be added, that the people here all think so. What we all hold is that grave wrongs have been done—and I will show some of them in the forthcoming papers—which have greatly disturbed a very large number of people, which have caused loss of property and loss of life, which still endanger both and are fully sufficient to account for all the complaints that have been made and for others yet more radical. I might claim even more and be fully able to sustain it, but this is enough. In the papers which have preceded I have tried to represent the state of public feeling at present, thus preparing by anticipation for those which follow which will tell the causes and deal with facts instead of with theories.

If it should be asked after this part, Where is the good sportsman? it will certainly be asked after the second, Where is the good warden? He is not very abundant here, but in this immediate vicinity we have one man who deserves special mention. Mr. Eben G. Morse, of Eddington, is a warden whose justice, faithfulness and honesty are believed in by the people here. I have never but once heard him accused of doing anything which was not honorable, and that he did not do, although there was reason for the suspicion. I may make this personal mention here, for it is he who has suggested that I should explain here, for it is he who has suggested that I should explain more fully some points regarding my article published on April 2, mainly those relating to the holding of game animals alive. This I am the more happy to do, as it may not only bring out some facts clearly, but will illustrate an interpretation of the game law which caused trouble three years since.

Mr. Morse writes: "The law making it subject to fine for hunting and keeping alive is of recent date, and was not in effect nor passed at the time that the deer kept at the Bangor House were caught; and Mr. Beal or any other person, rich or poor, had a lawful right to catch and keep such animals. But later on, and before Davis caught the caribou, the law was amended so as to prohibit the hunting in close time." Mr. Morse thinks that insufficient information was given on these cases, which was indeed necessary at that time on account of lack of space.

Regarding the Bangor House deer, I may quote the following letter from their owner:

"To the best of my memory I bought my first deer in the spring of '82, buying two at that time. The next winter I bought another, and then raised several. In the spring of '84 I bought an albino buck, the other buck having escaped. I had them every year until I sold them in the fall of '88. My impression is that those which I bought were in captivity but a short time. Trusting that this is the information which you desire, I remain, very respectfully, F. O. BEAL."

The point of my reference to these deer was that they were allowed to be kept in Bangor at a time when other people were required to release deer and other animals which they had captured, and that this gave rise to the complaint that one man was favored more than another. The complaint was made, I did not seek to discuss its justice though I tacitly admitted it; nor did I try to give the whole facts. These, as the letter shows, were that one deer was undoubtedly legally held, having been taken before 1883; and that the white one was not legally held as the law was afterward interpreted, though supposed by the owner to be so; that neither was disposed of until after other people had been forced to liberate animals, and that then they were not set free but sold. The facts have borne out the statement which I made. It would be interesting to trace their history from this date.

But respecting the change in the law to which Mr. Morse refers. There was no change in the law from 1883 to 1891, but there was a change in the interpretation which is what Mr. Morse means. This occurred in 1888 or a little earlier, but was not legally established until 1889. Until last month there was no explicit law against holding live game taken in close season, and it very rarely can be taken when there is no snow on the ground. Since our game laws were first originated in 1830 there have been but two passages which could apply to such a case.

Sec. 11, passed in 1878, reads: "Whoever has in his possession the carcass or hide of any such animal, or any part thereof, between the first days of January and October, shall be deemed to have hunted and destroyed

the same contrary to law," etc. Sec. 9 on moose and 10 on deer and caribou (both passed in 1883) say: "And no person shall, between the first days of January and October, in any manner hunt, kill or destroy," etc. The two are not mutually inclusive. On the one hand it is forbidden to kill large game at a certain season, and also to hunt it. On the other it is forbidden to have in possession dead game taken at that time, but nothing is said about live game captured then. If it is legal to have the game alive in close time, why is it illegal to hunt it then for the purpose of keeping it alive? If it is illegal to hunt it for this purpose, why is it legal to have the game so taken? It is evident that all depends on the definition of hunting if we are to construe the law in the strictest way.

But at first it was not so interpreted. For nearly five years it was admitted that any one could capture and keep live animals taken in close season. Hence the keeping of the albino deer at the Bangor House. In 1888, or a little earlier, the opposite interpretation was unexpectedly put upon the law, and it was declared illegal to keep any game animal taken in close time. Did this refer merely to those taken after this decree, or after 1883, or after the decision of the court in 1889? It would be hard to say; but there are a number of instances of animals being let loose before the law court gave its decision on the James vs. Wood case.

The grounds of this change in interpretation are interesting. There was no possible reason except what could be deduced from the one word "hunting." The one who held a game animal taken in close season could be prosecuted for hunting it, but not for having it. As Mr. Morse says: "The having it in possession was not taken into account, only to prove the hunting. I admit that the law did not prohibit having live deer, moose or caribou, if taken in open time or if obtained in any way without hunting it in close time." This sudden change in the meaning of the law caused some trouble. The Davis case occurred about this time, and in the western part of the State there was a famous one which was carried up to the law court—Isaac H. James vs. Thomas P. Wood, a game warden, who, without process, released or caused the plaintiff to release from his own inclosure, a moose and a deer. The moose was captured by Mr. James in March, 1888; the deer bought by him the same month. In the lower court Mr. James was awarded \$125 damages. The case was then carried to a higher court, and the opinion of the law court given Dec. 11, 1889, was in favor of the defendant warden.

Mr. James's moose and deer were set at liberty June 6, 1888. As evidence that the interpretation of the law which allowed this to be done was considered very doubtful, I may say that on Sept. 14 of the same year (1888) I saw a full-grown caribou, with fair-sized horns, confined in a pen near the railroad station at Winn in this county. I was told that it was taken in close season. I was also told that a warden had been sent to release it; that the possessor had refused to allow him to do it; and that the warden had yielded. What became of the animal afterward I do not know. The Bangor House deer were kept somewhat later than this, I am very sure. Mr. Morse tells me that he has known several to pay fines for keeping live game "after it became unlawful," which I understand to be previous to Dec. 11, 1889, as I have heard of none since then, though some who had captured deer have let them go.

In support of my definition of hunting, and to show that Mr. Morse's interpretation was as too many wardens

that Mr. Morse did not proceed as too many wardens have done here in pursuance of plans that no court would uphold, even when he released the caribou on the ground that to put on snowshoes to follow it constitutes hunting, I will quote from the James vs. Wood case, Law Reports 82, Maine 179: "The plaintiff followed the moose in the forest until it became snow-bound, and then, by the use of a rope, tied it to a tree, and finally bound it upon a sled and hauled it some fifteen miles to his home, where he confined it until it was released by defendant. Without doubt this conduct resulting in capture was in violation of the statute. The plaintiff did not destroy or kill the animal, but he did hunt and thereby capture it."

This matter which from one side is unimportant, from another has weight. It shows a law changed from a looser to a stricter interpretation. In my next article I will show another which has had just the opposite history during the eight years past.

Mr. Morse calls my attention to an error in one of the cases mentioned. I wrote partridges "legally killed in December" when I should have said November. I am likely to make other similar mistakes, and will correct them when brought to my notice, if not too trivial or having no real bearing upon the point in question.

Since writing the above I notice the following in the Bangor Daily Whig and Courier, April 25:

"A buck caught at Moose River has been brought to Portland and placed in Deering Park as a companion to the fawn presented to the city by Captain Winslow last spring. A yard will soon be built for them."

If true, this is an ample commentary on what has been said. Are there any deer in Deering Park? If so, by what right? FANNIE PEARSON HARDY.

KANSAS GAME.—Hutchinson, Kan., April 19.—*Editor Forest and Stream:* We have had splendid goose and duck shooting this spring. Trap shooting is getting to be a very popular sport in the West; our State meeting, to be held at Salina, May 19 to 21, promises to be a large one. We have had an extremely mild winter; the quail have fared well; chickens are scarce, but we will have fine quail shooting this fall.—SHADY.

HALIFAX, N. S., April 21.—I was out this afternoon trying my new setter dog. I put up a woodcock, and if you could have heard them "whistling" you would have thought their "outer primaries" pretty well developed for April birds. Killed five sea trout afternoon of 18th; they were a small run, from 1 to 1 $\frac{1}{2}$  lbs.—H. AUSTEN.

FOREST AND STREAM, Box 2322, N. Y. city, has descriptive illustrated circulars of W. B. Leasingwell's book, "Wild Fowl Shooting," which will be mailed free on request. The book is pronounced by "Nanitt," "Gloan," "Dick Swiveller," "Sbillene" and other competent authorities to be the best treatise on the subject extant.

everything as with a veil. There is an old-time stand of mine only a little way ahead and it is toward this spot that we direct our boat. A mighty flock is found feeding contentedly in the very spot where our canvas birds are destined to sit, and carefully routing the ducks without firing a shot we are soon located one on each side of the stream with our handsome flock of decoys midway between. M. has not had time to conceal the boat which he has taken to his side of the river before a pair are seen bearing down upon us from up the stream. I am in a trying position, perched upon a tottering bog which is constantly threatening to collapse and subject me to a plunge bath, but I cannot resist cutting loose on the head bird (an old male) as he passes overhead, dropping him close in shore. No time to pick up dead now. I can see that plainly, for a pair of huddle-heads come in with a rush from the north. *Uh-roum, ah-roum*, a sharp report sounds from each side of the river and goes rolling and quivering through the fog. *Spot, spot*, upon the water follows. A voice from the further side of the river sings out "And the wind whistled."

One of my boots has sunk in the mud until the top is painfully close to the waterline, and there is also a horrid suspicion dawning across my mind that a certain portion of that garment covering the largest part of my anatomy is also becoming dampened. Cautiously I reach for a square piece of plank I espy a few feet distant. "Mark south!" comes from the blind opposite; and in my efforts to get in readiness for a shot I slip a few stray drops down boot leg No. 1. Bang! bang! from Charley, and a moment later I make a successful shot, which nearly proves disastrous to my equilibrium at the same time. A few seconds later I have gained the coveted bit of pine and feel comparatively safe from any further wetting, although I am still far from comfortable, crouching in from 6 to 20 in. of cold water, amid a coarse growth of wire grass. Our dead birds are fast disappearing from view down the stream, and it is decided that we had better make a hasty collection rather than lose what we have down. M. is gone but a very few minutes, but upon his return I point out to him four more birds which have fallen in the meantime. M. enthusiastically begins counting our string as soon as he regains his blind, but only gets as far as seven, when I silence him with a "Lookout, north!" for five bluebills are upon us. Our salute cuts down three of the five, and thus the sport goes on. Four geese are noted winging their way ding dally toward us. Rather too high, but two barrels of fours are sent spitefully upward, and we are favored with a single mill cut from a wing as they pass.

At 7:30 the flight seasons and we take up our decoys and gather in the dead, drifting onward down the river to the club house. Our string of twenty-nine birds fully satisfies us. We have enough for ourselves and our friends, and what more do we want?

E. not putting in his appearance, we hang our birds against the side of the shanty and expose a plate from the Hawkeye upon the scene. The pleasing picture lies before me even as I am writing this narrative and serves to bring back vividly each good, bad or indifferent shot made during one of the pleasantest morning's shoots I have ever experienced.

An eight-mile drive home in the warm April sunshine follows as soon as E. arrives with his 15 birds; and this is as keenly enjoyed as the earlier hours of the day had been. The frogs are still piping their refrain from each and every little pond by the roadside, and there is a suspicious rainy feeling pervading the air. Bird life is jubilant and brimming over with song. Great flocks of red-winged blackbirds are pouring forth their notes from every bush and tree, bluebirds clipper gleefully from the moss-grown rail fences bordering the roadside. Hosts of robins are intent on securing a breakfast from the angle-worms every where creeping from the ground. Altogether, the day is one not to be forgotten, and the remembrance of it will serve to tide over the long and monotonous hours of dull office routine which the future has in store for us.

GREENHEAD.

SIX YEARS UNDER MAINE GAME LAWS.  
VI.—ON NON-TRANSPORTATION IN OPEN SEASON.

FOR the plain words to our visitors that have preceded, let us even use Robin Hood's own apology: "Nay, my Lord Bishop," said Robin Hood, "we are rough fellows, but I trust not such ill men as thou thinkest after all. There is not a man here that would harm a hair of thy reverence's head. I know thou art galled by our jesting, but we are all equal here in the greenwood, for there are no bishops, nor barons nor earls among us, but only men, so thou must share our life with us whilst thou dost abide here."

Most sportsmen will remember that we have had a very strict non-transportation law—at least, they will say that their impression is such. Of any twelve men here who are interested in game matters, the majority will say the same—a very strict non-transportation law, strictly enforced, recently so modified that game legally killed can be shipped to points inside the State but not outside. It will be generally admitted that from 1883 onward we had a law which practically forbade any deer, moose, or caribou to be transported from point to point, except by private conveyance. Let us hear "Special":

FOREST AND STREAM, Nov. 13, 1884: "It is not pleasant to be obliged to say that even under the very strong transportation law of Maine deer carcasses and even moose antlers do get out of the State and are seen here. . . . A fine pair of deer antlers came through the other day, and worse yet, five carcasses of venison came through last week. The name of the express company is known which forwarded them and the Maine Commissioners have been notified."

FOREST AND STREAM, Nov. 27, 1884: "Even ex-Governor Connor could not transport a deer, killed honorably in open season, from Bangor to Augusta last Fall, Commissioner Stilwell when applied to said: 'Governor, I can do nothing for you under the law.' This was under the first enforcement of the new transportation law in this State, which few at that time understood."

FOREST AND STREAM, Dec. 11, 1884: "As for venison, there came through from Maine the season before the non-transportation law went into effect between 1,500 and 2,000 carcasses. They actually rotted outside the Boston markets. Thanks to the good work of the Commissioners, such barbarous and wicked waste of noble game has been stopped. . . . Not a day passes but what the warden at the large shipping points in Maine seize partridges, ducks or saddles of venison, being smuggled through to Boston or New York. The tricks of the poachers are as curious as they are numerous, etc."

FOREST AND STREAM, Feb. 23, 1885: "The Legislature was also asked to legalize transportation of game over the railroads, when accompanied by the owner, but no satisfaction to the market hunters or the market men was obtained."

Is this not strong corroboration of the all but universal

impression that the transportation of game was forbidden in Maine at all seasons? To be sure, one man is the author of the whole of it; but he asserts what we all know, that the Commissioners declared this was the law; that the wardens executed it as law; that the people believed it to be law, and that they even petitioned the Legislature for a change.

Let us examine the legal history of the subject. Our first non-transportation law was that of 1875, which read as follows: "Sec. 13. Whoever carries or transports from place to place the carcass or hide of any such animal or any part thereof, during the period in which the killing of such animal is prohibited, forfeits forty dollars." What was the change in 1883 which every one admits? We quote from the Revised Statutes, Chap. 30, Sec. 13: "Whoever carries or transports from place to place the carcass or hide of any such animal or any part thereof, during the period in which the killing of such animal is prohibited, forfeits forty dollars." Has there been a change since? *Book of the Game Laws, 1890*: "Sec. 13. Whoever carries or transports from place to place the carcass or hide of any such animal, or any part thereof, during the period in which the killing of such animals is prohibited, forfeits forty dollars."

To the self-same tune and words! That is all any one can find anywhere in our laws regarding non-transportation at any season. There is not the change of a jot nor tittle, an iota nor a comma in it. For thirteen years now we have had this non-transportation law and no other. Why is it that the Commissioners can do nothing to help the ex-governor "under the law"? Why is it that the wardens are all instructed to seize game legally killed? Why is it that the Legislature is asked to alter a law which never existed? And how could such a delusion gain ground over a whole State, when there was no change at all in the law and had not been for five years?

If not in this law there had been a change in another which seemed to affect this. In 1882 the one moose, two caribou, three deer law was passed. This law, limiting the number to be killed, also made it illegal to have more than the prescribed number in possession—a necessary measure, throwing the burden of proof upon the accused when proof by the accuser might be impossible. Whether it was intended to do more than this is not for the unlearned in the law to say; but that the phrase "to have in possession" was too sweepingly interpreted at first there can be no doubt. It was officially declared that to handle a deer in any way was to have it in possession. The strictest orders were given that no conveyance, public or private, should carry, haul, or in any manner convey more than one moose, two caribou, three deer for the season. Stage drivers were warned not to do it under penalty of seizure of all deer so carried. "This new game law," said one of the shrewdest lawyers in Bangor to another, "is a queer kind of a law. Now supposing I have three deer legally killed, and you have three that you have killed legally, and you have a sled while I haven't any. Now if as a favor you tell me to pile my deer on your sled, the whole six can be seized, can't they, by this law?" The other agreed. When I asked one of them a week ago if he remembered the conversation, he said that he did not, but until he looked the matter up he always supposed that the law would sanction such an action.

But how did this gain general acceptance? More than in any other way by the refusal of the principal railroad and express companies to transport venison. When

and express companies to transport venison. When large corporations admitted that to convey game from one place to another was to have it in possession and gave up their business with game on account of it, it was natural for private individuals to suppose that they had carefully examined the whole field. Perhaps they did according to their light, but they could not have had the best of legal advice, for we now know that no transportation company can refuse to take what is offered. Neither could our Commissioners have consulted able counsel, or they, too, would have known that common carriers cannot be said to have "in possession" what they are conveying. A little investigation would have convinced them that they had no right to interfere with the transportation of animals legally killed. Apparently this investigation was not given; for for years we have witnessed the curious anomaly of a whole force of special officers, hired and paid to execute the fish and game laws, being detailed to carry out the orders of transportation companies to their own employees—orders which themselves were untenable and illegal; and being instructed to enforce the orders not by punishing the delinquent employees, but by confiscating the goods which they received in disobedience to the commands of the company, but which, once received, the company was in honor bound to deliver safely. The transportation companies have received goods up river, and the officers at Bangor and elsewhere have seized them and converted them to their own use without even a form of law; yet it was not contrary to the laws to ship these goods, the transportation companies could not refuse to take them, and the wardens or officers who made the seizure very often transgressed every form of law in doing the same. Complicated and absurd as this state of affairs seems, it has prevailed here for years.

This is ridiculous, but it may not have been intentionally unjust at the first. Let us be charitable enough to grant that the Commissioners, wardens and railroad companies at the first thought that they were keeping the law to the letter, and that they erred only through over-zeal. Yet in the FOREST AND STREAM for April 24, 1884, "Special" says: "But when early last winter, Payson Tucker, superintendent of the Maine Central Railroad, issued his remarkable order to forward no more moose, caribou, deer, or other unlawfully killed [sic] game over his road or its branches, the backbone of Maine market-hunting was broken. He was immediately followed by a similar order from the managers of nearly every other express and transportation company with lines leading out of Maine." This admits that the order was a private one in every case. But before the year is out, as may be seen by the quotations already given, he speaks of "the strong non-transportation law;" calls those who undertake to ship game which was legally killed "poachers;" and quotes Mr. Stilwell as saying that shipping could not be allowed "under the law."

Now there was no such law and had been none. Instead of that (though "Special" may not have known it) more than a month before he wrote this last extract, and fully eight months before those previously quoted, a case had

been decided in Bangor, which seems to show that the ex-Governor could have transported his deer and could have done it "under the law."

It was the Allen-Young case, which may be found in the Maine Law Reports, 76 p. 80. The facts are these: Benjamin L. Young, of Milford, on Feb. 17, 1883, shipped by express for Boston two deer legally killed Dec. 30 and 31, 1882. At Bangor Thomas F. Allen, a game warden, seized them on the plea that they were shipped contrary to law—which was admitted. But Mr. Young maintained that as they were legally killed, the law prohibiting the shipment (Sec. 13, already quoted) was either defective or subject to a different interpretation. The case was carried before the full bench of judges, and Mr. Young's claim was sustained. The judges' opinion is of great interest, but too long to quote entire. "We fail to see," they say, "any motive for making the mere transportation of the hide or carcass of a deer from one place to another a crime when the deer has been lawfully killed and is lawfully in the possession of the one who transports it [the shipper? or the express company?]. Certainly one may reasonably doubt whether such could have been the intention of the Legislature; and the act being a penal one, a reasonable doubt is sufficient to make it the duty of the Court to adopt the more lenient interpretation and construe the term 'such animal' as meaning an animal unlawfully killed, as was done in construing a similar statute in Com. v. Hall, Mass., 410."

The trial of this case before the Bangor Municipal Court was in March, 1883. The decision of the judges was given March 4, 1884. The case itself occurred more than six months before the question of non-transportation in the open season came up. The decision was given nearly six months after the transportation managers had refused to receive venison. In giving their decision the judges must have known of this later much-discussed phase of transportation, although they do not refer to it explicitly. In framing an opinion, it is at least probable that they would word it so as to apply to cases likely to come up under the new arrangement if this change could in any way affect the question of transportation. This is their opinion: "The transportation of the hide or carcass of a deer from place to place in this State is not unlawful of any time if the deer was killed at a time when it was lawful to do so. Need anything more be said on that point?"

It should be noted that what the judges say of transportation "in the State," does not prohibit transportation outside of State limits. Mr. Young's deer were marked to "Boston," yet the case was decided in his favor. The judges had no jurisdiction over inter-State matters, is the meaning. There is nothing in this to support the view of a witness in the McPheters case (see below) that it is illegal to send venison out of the State, though of late this has frequently been declared.

Here, as early as 1884, only a year after the three deer law was passed, six months after transportation in open season was forbidden, is a decision which settles the whole matter so far as the duty of the Commissioners and wardens is concerned. True, it does not say whether a transportation company can carry more than three deer for the season; but it does say that any man who legally owns three deer may carry them where he pleases. If the railroad and transportation companies cannot take these deer for their owner, or think they cannot, that is their business. If they do take them it is at their own risk, not the owner's; and if anybody is to be arrested it is the plain duty of the wardens to arrest the railroads. It is no longer a question in which the game or the owners

of it are concerned.

Did the Commissioners forbid the wardens to seize game in transportation after this decision? The decision was given March 4, 1884. Read what "Special" says under date of Dec. 11, 1884 (already quoted). There is no lack of corroborative testimony. Did the Commissioners know of this decision? They did. First, it was their duty to know it, understand it and act in accordance with it; second, the suit was begun by one of the prominent wardens and he was defeated—which could not fail to be known to the Commissioners; third, Mr. Stilwell himself was present at the trial before the municipal court and knew the facts. Yet the work of seizing game while in transportation in open season did not fairly begin until the fall of 1884 and was kept up until January, 1885, in spite of this decision.

It is this on the one side that makes people here believe that this interpretation of the law was not accidental.

On the other hand the action of the transportation companies laid them open to criticism on the same score. If they had refused to take any game because it made them liable to suits for damages, they would of course be liable as long as the law was in force, and that law (Sec. 12) still exists. Nevertheless the transportation companies repeatedly ran the risks of this penalty. Game was put on board the trains, and the employees allowed it. They refused to handle it themselves, but they did not interfere when the owner picked up his own deer and carried it aboard the train, even if he carried it into the passenger car, as my father did once. A guide writes me: "All parties that have had have carried their game home, that would put it aboard themselves and watch it, but most always had a lot of cheap talk with the railroad men and wardens. But when the men hung to their game the wardens did not dare to meddle with it." In short it was not very long before non-transportation became this: No deer can be carried unless the owner is with them to keep the wardens from seizing them. The railroads, it was discovered, could carry all they pleased; they were not liable for having them in possession. The wardens, however, could seize anything that was carried—at least did seize everything they wished to. The result was that no one was responsible except the owner of the deer, whose right to convey his own property over public lines of travel was neither protected nor recognized. The cases of illegal seizure of game, belonging both to sportsmen outside and to citizens, are too many to admit this statement's being questioned. Non-transportation came to be as I have said merely a question of whether the owner was present to prevent himself being robbed. At last it became customary for the company to check deer as personal baggage, both for convenience and safety. The railroad employees no longer refused to handle it, the companies were gracious about receiving it and the owner rested easy at Bangor. Still all was not safe, as the McPheters case shows. This case has recently been settled and I have obtained the printed report of evidence, attested by the clerk of courts, from which I

quote the following to show what has been done in Bangor in the name of the law:

Walter F. McPheters, plaintiff, called by his counsel, testified: I shipped these deer at Costigan by rail to Boston, Nov. 5, 1888. Costigan is in the town of Milford, in this county. They were checked; I took checks for them. There was nothing on them to indicate the direction or the person to whom shipped, but the checks, I have the checks now. I bought a ticket for Boston at the same time I shipped the deer. I saw them put on to the cars. \* \* \* The next thing that came to my attention, I heard the deer were taken in Bangor. I went to Bangor to see about them soon afterward. I received no notice from any officer or any court of any seizure. I went to Bangor to see about the deer about the 25th of November. \* \* \* Q. Did you have any trouble in getting the road to take the deer? A. I did not. There was no conversation to me or in my presence by any of the agents of the company. I had bought my ticket before I asked to ship the deer.

The deer were seized by George W. Harriman, of Bangor, a private detective, warden and special State liquor constable. He admits taking one whole deer and two saddles which had checks agreeing in every particular with those which Mr. McPheters showed. He testifies: "I took them at the Maine Central depot in this city. We brought them to Mr. Page's market for storage. Mr. Mayville, Mr. Nickerson and myself were the men that took the deer. We took them directly to Mr. Page's market. I went with them. Mr. Nickerson was on the wagon with me. We left them in Mr. Page's market. Q. Did you ever see them or any portion of them again at Page's market? A. Yes, sir. We divided them; each one of us took one." A little further on: "Q. What did you seize them for? under what claim of right? Obj. Admitted. A. We supposed we had a right to, as it was wrong to ship them out of the State. Q. You did not then claim to have any right of seizure except upon that ground? A. That is what we supposed." The italics argue. The answer shows how little of the law some of our wardens who have been in most in the business know, and the kind of acts in which they will engage. No evidence is brought forward to show that Mr. Harriman used a warrant. By the testimony of himself and the other two, it is shown that they divided the deer among themselves without appeal to any of the proper authorities, and without notifying the owner what had become of his property. The same thing has been done repeatedly in Bangor. I expect this case from many others merely because the testimony was given under oath and is a matter of court record. The suit itself, though won by McPheters, is wholly indecisive, because it was brought against the marketman who received the deer instead of against the officer who took them, on account of a technicality.

The case of George W. Bennett against the American Express Company, an action to recover the saddles of three deer, is a test case. The agreed statement of facts published for the court, attested by the clerk of courts, says that on Dec. 5, 1888, George W. Bennett delivered at Newport Station on the M. C. R. R., a box containing the saddles of three deer legally killed, to be shipped by express to Boston; that the express agent was not at the station when Bennett left, but delivered the box to the express company's car, giving no receipt or bill of lading; that said saddles were seized by Thomas F. Allen, a game and fish warden, on said fifth day of December, and removed by him from said express company's possession and removed by him from said express company's possession at Augusta, Maine, without any search warrant or other legal process, and without objections from the express company or their agents, and have never since been delivered to said express company. It is also agreed that the express company had notified its agents not to receive any venison for transportation, but that they had done so previously, and that in this case no questions were asked as to the contents of the box. Verdict for plaintiff.

The case is so important that it is worth while to quote some of the authorities which were cited at its trial, 1890. They settle conclusively the whole non-transportation question, as it was under the laws previous to March, 1891. (Italics my own):

A delivery is always sufficient if the proper servants of the company accept the goods to carry, whether any bill of entry in the books of the company is made or not. (Redfield on Carriers, Sec. 101, page 24, and the cases cited.) Common carriers are insurers of all property intrusted to them, except against an act of God or an enemy of the Government. (Platfield vs. B. & K. Steam Nav. Co., 27 Me., 132; Fildes-brown vs. G. T. Railway Co., 35 Me., 362.) The American Express Co. do not restrict their liability, as no notice was brought home to the plaintiff, or was asserted to by him. (Fildes-brown vs. G. T. Railway Co., 35 Me., 362; Buckland vs. Adams Express Co., 35 Mass., 125.) Neither can they so restrict as to release them from liability for loss occasioned by fire, lightning, pirates, robbers, or other causes. (Tracy vs. International Telegraph Co., 30 Me., 143.) The American Express Co. surrender the box of deer saddles to Thomas F. Allen without demanding his authority and without objection on their part or by their agents. (Statement of Facts.) Carriers are compelled to solve claimants' right at their peril. (Redfield on Carriers, Sec. 241, page 37.) On service of a legal process he may surrender goods into the custody of the law. (2 Pars. Contr., 27.) Allen had no right or authority to seize the deer saddles, as he had no warrant or other legal process. (Constitution of Maine, Art. 1, Sec. 5; U. S. Constitution, Art. 4, Sec. 1 [and other cases].) The saddles were not in the possession of the American Express Co. within the meaning of Sec. 11, Comp. L., R. S. As a common carrier has only an insurable interest, and a lien for his freight. (Redfield on Carriers, Sec. 198, page 22, and cases cited.) Also such could not be the fact because it would be in violation of the Interstate Commerce Law. (U. S. Constitution, Sec. 5, Spec. 3.) Common carriers cannot select what they may carry or what they may refuse, but are bound to take all which offer. (Redfield on Carriers, Sec. 100, page 22 [and other cases].) When the box of deer saddles were taken by the defendant company for transportation out of the State, and transportation begun, they became subjects of commerce, and were governed by the laws of the U. S. (Coates vs. Enol, 116, U. S., 517, 19 Wall., 557-565, 18 Fed. Rep. 103.) Commerce with foreign countries and among the States strictly considered, consists in intercourse and traffic, including in these terms navigation and transportation and transit of persons and property, as well as the purchase, sale and exchange of commodities. To regulate it, as thus defined, there must be only one style of rules, applicable alike to the whole country, which Congress alone can prescribe. (Various references.)

That is the Bennett case, decided last year—a conclusive demonstration of the colossal humbug of non-transportation in open season. Strangers and citizens alike have given up their property to those who showed no right to seize it, who had no right, either legally or morally, and the authorities have never once come out to tell us what our rights were nor to stop the depredations. That at first this was done in ignorance is possible, though no excuse. That the authorities should have remained ignorant all these years, requires faith amounting to credulity to believe. That the railroad and express companies should know so little of the laws on which their charters were founded as to have done this ignorantly, is inconceivable. The fact that such an imposition should have been allowed to go on year after year does not greatly increase the credit which will be given to any explanations that can now be made by those who allowed it or who first schemed it. It is said here that it was done to stop market-hunting, so that the deer might be saved for sportsmen, attracting them hither and increasing the travel on the railroads. A small object to gain when obtained by the suppression of both law and right, the toleration of a scheme of systematic robbery against which private redress was hard to get, the transformation of a people that were over-trustful toward those who managed their affairs into a people hard, bitter, suspicious, accusing. Any one who has not lived near enough Bangor to know what has been done there these last seven years does not know the long story of fraud and oppression and downright robbery which I could tell in all its particulars past the possibility of doubting the recital, if I were to go into the individual cases which I have known. No possible excuse can be offered by any one engaged in such actions, but no good could come of telling more than has been told; it is enough to know that the wrong has been done and that it will not be soon forgiven.

We hope now, since the past is past and the future always has some gleam of brightness, that a better order may begin. We have a new law this winter which we understand. It is the same law that we have been drilled on these seven or eight years in advance, which has been enforced before it was on the statute books and declared to be, while as yet it was not. It reads: "Sec. 13. No person or corporation shall carry or transport from place to place any moose, caribou or deer or part thereof in close time, nor in open time unless open to view, tagged and plainly labeled with the name of the owner thereof, and accompanied by him under a penalty of forty dollars; and any person, not the actual owner of such game or part thereof, who, to aid another in such transportation, falsely represents himself to be the owner, shall be liable to the penalties aforesaid." We understand this law. It does not depend upon doubtful interpretations. It will be respected as long as it is fairly executed. If we had had this law eight years ago, or had had the one then existing executed according to its obvious meaning, there would be less reason for explaining how Maine people have come to say hard things of the game laws. On this point of non-transportation in open season, our legal right, we have been so harassed, so often called poachers and law-breakers when we were doing nothing contrary to law, that we are more lenient than we otherwise should be against actual transgressors, and toward those who have done this injustice, are—not boisterous nor vindictive, but very stern.

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Editor Forest and Stream: If a perfect history of the travels and transactions of the sportsmen in the entire Moosehead Lake region could be brought to light by an impartial investigation, I am satisfied that it would completely demonstrate the fact that the cases cited by Miss Hardy are only exceptional ones. On the other hand, she does not represent the "residents" of Maine as a whole. She is speaking only for a fractional part of the citizens of this State, as I firmly believe. Neither does she voice the sentiment of a majority of those residing near the great wilderness country frequented by sportsmen. I can recall cases which have come under my own observation where several hundred dollars have been paid into the treasury of Piscataquis county for fines for violation of the game laws by residents of other States.

I know that during the past three years we have suffered by a lax enforcement of these laws. I know further that as bitter complaints on account of this have come from backwoodsmen and guides in the Moosehead section who are during every summer season largely associated with the sportsmen, and necessarily influenced more or less by them, as from any other source. Now, if these sportsmen as a class were as destructive of game in intention or in practice as Miss Hardy avers, it goes without saying that they would impress their ideas upon the guides. That they do influence them to a great extent is undeniable, and the fact that they do not as a general rule countenance or aid infractions of the laws while guiding, but that many of them are among the staunchest and most sincere supporters of the code, is to my mind positive evidence that the great mass of their employers have done everything in their power to educate them up to this standard.

I hope that as Miss Hardy has opened it, the FOREST AND STREAM will give both sides of the question. I do not feel competent to give the other side, but I hope others who are will join me. I feel, as do many in this section, that we are, as residents, and as real backwoodsmen, being misrepresented by her. J. F. SPRAGUE.

MOONSON, Me. PUZZLED GEESSE.—Springfield, Mass., April 20.—Last Wednesday morning about 10 o'clock a severe thunderstorm passed over this city, taking its way down the valley into Connecticut. An hour later the air was filled with strange and distressful cries that for a moment made the wicked tremble. The city was filled with wild geese in small flocks of from two or three to twenty, which had probably composed one or more large flocks that had met the storm and become scattered, and were finally attracted here by the electric lights. For hours they flew in every direction, probably searching for their lost mates, and uttering an unusually mournful honk, which told that they were in trouble. The electric lights evidently attracted and bewildered them, and probably every light was visited once or more by different flocks; and they flew so low that they barely cleared the trees and buildings, and the "swish" of their wings could be plainly heard. It was only after the electric lights were shut off that they rallied together and took their departure for the north in fairly good order.—F. L. B.

ST. LOUIS NOTES.

ST. LOUIS, April 25.—Spring shooting has been a failure in this section, say all of our hunters. The early spring was so dry that there was no water on favorite grounds, and then came cold and wet weather, which put a damper on all sports. The flight of ducks was small, and the snipe for some reason did not stop to sample our Missouri and Illinois worms. But perhaps it is well, spring shooting should be abolished all along the line from the Gulf to British America.

The angling season opens auspiciously and some good catches are reported. The water at the various club grounds is reported in good condition. Angling is now to the front and shooting goes to the rear.

The trap-shooting season was opened last Sunday by the Carondelet Gun Club, in which a large number of clubs participated. The Gilliam's Lake Hunting and Fishing Club has finally obtained its coveted property, and has completed its organization. The membership is limited to thirty. The grounds are located near Wanda, Madison county, Ill. The club controls about 1,200 acres. The officers are: L. E. Burke, President; Albert Rawlings, Vice-President; Wm. Dooley, Treasurer, and Chas. E. Wise, Secretary. The shooting in season consists of duck, snipe and quail, while the angling, the secretary says, consists of "dog-fish" at present.

Our revolver shots are discussing the championship event and are getting ready for taking part, which will be duly recorded.

Among the enthusiastic salmon anglers of St. Louis may be mentioned Henry Hitchcock, E. A. Hitchcock, E. T. Allen and Mr. C. B. Burnham. In conjunction with a few other anglers of Chicago and Boston these gentlemen lease the Nipisiquit River in New Brunswick. The water is controlled by the Government and is known as Government water. The gentlemen have a lease for five years, and the river affords very fine salmon and trout fishing. Another prominent St. Louis salmon angler is Mr. James Richardson, who fishes in the Restigouche. AMERDEEN.

THE WAYS OF SNIPE.

Editor Forest and Stream:

In your issue of April 23, Mr. H. Austen, of Halifax, N. S., claims that the snipe does its booming (I take it he means drumming) with his voice, and not as supposed with his wings, and that this noise is only made at dusk or long after dark. If Mr. Austen will go out to any good snipe ground when these birds are in, especially in the early part of May in the spring or September and October in the fall of the year on a dull overcast day, he will find numbers of snipe in the air circling and soaring about and drumming to their heart's content, when he will be satisfied (or I am much mistaken) that the noise a snipe makes when drumming or booming is made with his wing.

In the same letter Mr. Austen writes: "All the sound that I have ever heard in the daytime has been their scarp" except that on Aug. 11, 1885, when shooting on the marsh, I heard about and around me who, who, who, only not in very loud notes, and for quite a while was puzzled until I found running about at my feet three tiny young snipe, which must have been a very late or possibly second brood." If Mr. Austen will go out where these snipe breed, during the mating season, that is with us in the month of May, he will find that snipe sing.

These snipe breed during the mating season, and is with us in the month of May, he will find that snipe sing, twitter and call. During this season snipe call one another *pe-te, pe-te, pe-te*. The cock bird springs into the air, flying 20 or 30 yds. before lighting again, with his tail and head up, singing an I twittering much like a bobolink. One could hardly think that these tame foolish birds were the wild, swift-flying, hard-to-hit birds of the previous month.

The snipe and woodcock both drum with their wings. Woodcock drum about dusk, letting themselves down from an elevated position plump on to the ground, with wings set edgewise. Snipe generally drum on dark and dull days, letting themselves down from a high position with wings set edgewise, fifty or a hundred feet, immediately soaring up again to circle around as before. This they repeat for hours together. Years ago when snipe were plentiful on the Holland marsh, a few miles from here, I have seen upon a dull day fifty or sixty snipe in the air at one time circling and drumming; in fact, every snipe on the marsh appeared to be up in the air. I need hardly say that on such occasions the bag was small. In those good old times I remember in the month of October making a bag of 105 snipe in one day, the day was a bright warm still day.

Old Bleacher, the dog I used in those days, was a black and tan, out of a liver spaniel bitch, by a black, white and tan foxhound dog. Strange to say, in appearance he was a very handsome spaniel and a dog I never was ashamed to be seen with either on the street or in the field. All my dogs now have the bluest of blood in their veins, but I would gladly give them all for old Bleacher and the abundance of game of his days.

What a pity it is that both the Government of Canada and the United States do not pass a law prohibiting the exposing for sale all and any game. It seems deplorable to allow our game to vanish before our eyes, when by a simple enactment, such as the above, it could be prevented. HENRY B. NICOL, M.D.

COOKSTOWN, Canada.

CALIFORNIA SEASONS.—Since I wrote you last, our Legislature has adjourned after amending the game law as follows: Extending the close season for quail up to Oct. 1, instead of Sept. 10 as it has been in the past, and making it unlawful to kill deer, elk, mountain sheep or antelope for the next two years. This has been signed by our governor, and is now the law. This is good, gentlemen, excellent! Even if our Legislature did adjourn with a very unsavory smell of "boodle" clinging to its garments, it did pass some meritorious laws, and this is one. The bill as originally introduced protected the deer for six years, but was amended so as to cover only two. The former period was just about right, but the latter will do a great deal of good, and "half a loaf is better than no bread." And, besides, if we can ever get the average legislator to grant half of what is asked and needed, we do well. And it is useless arguing with them, for *Mit der Demmheit kampfem Götter selbst vergibens*. Which in English means: Against ignorance even the gods battle in vain. —AREFAR.

SIX YEARS UNDER MAINE GAME LAWS.

VI.—POISONING.

WE have a law regulating the sale and distribution of poisons. It has remained on the statute since 1857 without substantial change and without repeal at any time. The latter part reads: "If any person for the purpose of killing wolves, foxes, dogs or other animals, and not for the destruction of insects or vermin, in a building, leaves or deposits any such poisons within two hundred rods of a highway, pasture, field or other improved land, he shall be punished by a fine not less than twenty nor more than fifty dollars; or by imprisonment not less than thirty nor more than sixty days."

It is my object to show that this law has been recklessly violated: that this violation has been charged to wardens; that the breaking of this law and the suspicion that wardens did it have caused much of the feeling that exists in the eastern part of the State against the game laws and their administration—these three things only; but I shall probably show that the feeling and the suspicion are not altogether unreasonable. If I dwell more on the belief of people here than on an elaborate setting forth of the facts involved, it is because the collective loss which these facts represent is small relatively to the effect it had upon public opinion, because also this is purposely left as a matter of circumstantial evidence; and because my object is not to do more than to explain and account for the state of feeling which should not longer be disregarded. So far as the testimony here given needs any guarantee it may be said that it comes from men believed to be truthful, who do not live near each other, who belong to different classes and occupations, who cannot have had any means of knowing what has been told me by any one but themselves. I have received nothing contradictory to what is given here, and I do not publish all that would confirm these statements.

I. Poison has been laid out contrary to law and domestic animals have been killed by it.

Previous to the Graves murder, in 1886, I heard of a number of cases in which animals were killed by strychnine, and among them some which are quoted below. This shows that these claims are not of recent manufacture. Although I then had no reason for remembering or noting the incidents given, I recollect that the reports came from a number of different towns, and that Passadumkeag was one of the principal places which suffered. This winter I asked a man whom I remembered as having spoken of the matter, whether he knew definitely what happened there. His reply was substantially as follows: "Know? Yes, I was there at the time it was done. There was poison left in doughnuts and biscuits—strychnine enough to kill anything, and they left it close to the railroad station and all around town. Yes, it did do damage. I know of some cases. A man at Gould's Ridge had a dog killed, and found a piece of poisoned biscuit in his yard. A Passadumkeag man lost two horses; one was a farm horse and one was a colt worth \$200. The horses had been in the door yard all night, and in the morning they were dead, with a piece of poisoned bread near them. But there was worse than that. — had a child die that same day, and they thought it was poisoned. It was a little child, out playing with the dog, and they found a piece of doughnut somewhere. The child brought it into the house and very soon the dog died. The child died, that same day. They thought it was poisoned. No, we did not know who did it, but it was laid to the wardens; it is all guess work who did it."

\* This is almost a literal transcript of notes taken during the narration. Names were given which I have omitted.

\* This is almost a literal transcript of notes taken during the narration. Names were given which I have omitted for obvious reasons, and it is possible that there may be some minor errors in taking down the facts; but the veracity of my informant is beyond question and all that is claimed by me is that he believed poison had been laid out in more than one instance. However, a letter subsequent to this shows more. "You wanted to know about Passadumkeag," he writes. "I was in town when the child was sick but went home before it died that night, and all I know is what they told me; and for the horses I see them."

This proves conclusively that two horses were poisoned and that the same day this was done a rumor of a more serious nature was started. I wish, however, to disclaim any belief in the latter. I have spent some time in trying to investigate it and have been unable to improve it, but also unable and certainly not desirous to prove it. It is an odd matter and those who might have denied it have not chosen to do so; had they done so it would not have been mentioned here although it had its influence. It should be said that I have found no proof that any warden laid out poison in Passadumkeag, but a strong and somewhat pointed suspicion to the effect that it was done either by a warden or some one in his employ.

So far we have proof of two horses killed by poison. From another source the poisoning of dogs at Gould's Ridge and in the town is confirmed, with a repetition of the rumor that it was done by wardens. Still another, repeating substantially the same story told by the first about the child, makes the more definite, but perhaps not more correct statement that it was "the same night that — [a warden] poisoned all the dogs and cats in town."

Another from a town near by writes that he never has heard the child's death ascribed to this cause, but knows "that strychnine has been left in our highways by being put into doughnuts, etc., and that one cow was poisoned that was hitched near the house in the field — of Olam m. Some four years ago — [the warden mentioned by the last correspondent] went through this section and immediately after he passed dogs and other animals dropped dead." A man from still another town tells of poisoned biscuit being brought into the house by children, but gives no particulars. He also speaks of a house dog and turkey being poisoned in the dooryard. Another says that his daughter's pet cats died with evident signs of strychnine poisoning, and that he supposed poison had been laid out by a warden—whom he named—for dogs. These are a few instances out of many, but they are definite, not general, statements, and illustrate the variety of the casualties that have occurred here. It is certain that the law prohibiting laying out poison within 200 rods—five-eighths of a mile—has been grossly violated.

As it may explain other matters, I wish to state why I do not undertake to prove more here. I could not well do it without the use of names. Matter of importance has been put into my hands with the understanding that it was to be published if desired, but without any limita-

tion or caution as to its use or the use of names. I have therefore preferred to err on the side of caution and have adhered to my plan to give names only when the point was one of public record or notoriety, or else supposed to be a matter of personal indifference.

II.—This poisoning of domestic animals has been generally charged to wardens.

People living in four different towns on Penobscot waters have given me accounts of what has been done in their own towns, and these and others have told of cases in towns where they were not resident. All seem agreed that persons unknown were guilty, and most are of the opinion that these men were wardens. The names of two wardens are frequently mentioned, but no third except a man, sometimes called a warden and sometimes not, who was known to accompany one of them on a trip and a man believed to be employed by a warden. There is also an entire agreement as to the methods used west of the Narraguagus, and as to the odd fact that bread and other cooked food was frequently the bait employed.

Is there a possibility that any number of the animals that died were killed in some other way? Not the slightest. The signs of strychnine poisoning are unmistakable, besides, the poison was found in a number of places.

Could they not have been killed by malicious people who wished to cast reproach on the wardens? To a very limited degree this might have been done, but not to this extent. The work was carried on for three falls, '84, '85, and '86, and in parts of three different counties, Penobscot, Hancock and Washington. I have reports from Penobscot, Union River, Machias and St. Croix waters, showing that it was done on all these within three years. It was not done to kill foxes or wild animals. The season of the year was too early, the places and bait both unsuitable. None but domestic animals or men would be likely to find the bait, and few other creatures would be attracted by it. The reports that bread, biscuit and doughnuts were frequently used show that it was done by the whole sale by some person or persons who wished to carry bait in bulk and must have a kind easy to procure and convey. Whoever did this work made a business of it.

There were men who were suspected of doing this, as I have said. They were watched and followed, unknown to themselves. One of them was seen repeatedly, and wherever he went poison or dead animals were found. He made two trips with different companions, and both times the same results attended him. There certainly was some reason for suspicion of this man, if not of his companions.

There is a printed statement also, which never having been denied may be taken, in connection with some other matters as authoritative. "Special" made it in the FOREST AND STREAM for Jan. 8, 1885. It shows that elsewhere at this time wardens were engaged in poisoning. He says:

The deer hounders, or rather their poor dogs, have fared hard this year. The Maine game law not only forbids bounding, but provides for the destruction of the dog. By the game wardens a war to the death has been waged. A great number of poor dogs—or perhaps good dogs with unworthy masters—have been destroyed. If one apothecary would tell his story, pounds of poison would be accounted for. Repeating rifles have also been employed by the wardens.

In support of this statement, I am at liberty to say that about the time this was published Mr. Stilwell asked my father to listen to a letter which he had received from some one residing on Machias territory. He did not read either signature or superscription, but the writer gave a detailed account of a trip taken by some warden, the amount of poison which he had distributed, and the re-

port that he had killed every dog on the route except one belonging to Shaw Brothers, which was kept at a camp where the warden could not get at him. A Bangor man who was on Machias about this time reported finding five pieces of poison laid out in the road between Fourth Lake Machias and Lower Dobby, a distance of about one and a quarter miles. While it is possible that none of this was put within five eighths of a mile of Shaw's house at the end of the carry, and that none of the rest which was laid out elsewhere on Machias was distributed within the legal limit, the practice could do no good to the cause. In this district the law about poisoning was not scrupulously regarded, as has been shown; and I have deposited in the editor's hand proof that would justify popular suspicions as to who did the mischief. This, however, I consider too confidential to be published. There is an incident which is strong circumstantial evidence of the same that I am at liberty to give.

A year ago last fall the man who went as guide for us told us of a narrow escape his cousin, his uncle and four other men had from being poisoned by wardens a few years ago. They left camp for a short time, and in their absence wardens put poisoned bread on the table. Returning, they made a bean soup, and were on the point of thickening it with the bread from the table when one of them said that it was too dry and gave it to the dog, which died immediately.

This winter I asked one of the men who was of the party—a very well known and much respected guide—for the facts. He gave them in great detail, every point that was essential, and I wrote down the more important. I understood him to give permission to use his name also, but as there is the possibility of an error here and as I cannot now send manuscript for his correction, if any is needed, I will not make him responsible. My notes say that on Jan. 27, 1891, he told me that a party of six, including himself, his uncle, another guide and three sportsmen from New Haven, Conn., all of whose names he gave, were camping in a lumber camp at Brandy Pond on the West Branch of Union River. They had with them two dogs—one three-fourths foxhound, which belonged to him; the other, as I understood, not a hound. They were hunting deer, but I do not know whether these dogs were or could be used to run deer.

While they were there the warden whose name has been left blank several times, with a companion, who is variously reported as a warden and as not being one, came to the camp and tried to induce them to put the dogs out after deer. They left the camp for two or three days while this warden and his companion were still in the country on, as every one reported, a poisoning tour. On their return they made a bean soup and were about to thicken it with a piece of bread which one of them saw lying on the table, when it was said by some one that the bread was too dry. Instead of using it for themselves it was given to the dog owned by the narrator, and the dog died on the spot. They could prove only the fact of the poisoning, not who did it. When they left the place

the warden and his companion had been near; when they returned both were gone. Whoever may have been the guilty man, some one was narrowly delivered from the crime of killing six men who had done him no injury, against whom he could plead neither injustice, personal danger, nor a violent and overmastering provocation.

Comparatively few of the wardens in this State were engaged in this wretched poisoning, but the few were diligent. For their misdeeds some who were innocent were suspected, and under the cover of them men who were not wardens at all may have used their opportunity to do evil. It was a practice which could do no good, which might do, and did do, much harm, which would disparage the cause in whose service it was carried on, and alienate rather than attract the support of those without whose hearty co-operation game laws must be a failure. Nothing can more certainly react against an object to render it unpopular than the attempt to push its claims by overriding greater ones. In the eyes of the people it was more important that their property should be safe than that deer should not be dogged. Both were desirable, but the former was the greater. The latter could not be enforced at the expense of the former. If there was reason to suspect that officers of the law in enforcing one statute broke a law much more important, they lost the support which was needed to make their cause good. It does not matter if they did not all engage in it, or if they did not do all of which they were accused. One murder grew out of this, and there is danger yet.

Of the warden who has been principally accused so far, it may be said that the charge does not greatly injure his reputation. He has been guilty of about all the petty sins on the catalogue: he attempted blackmail, illegal seizure, breaking and entering a locked storehouse, is an habitual drunkard—of which the editor holds proof—but he is still a warden.

FANNIE PEARSON HARDY.

DUCK HUNTING IN PENNSYLVANIA.

THE stormy winds of March had spent their wrath and the driving snow had changed to rain. Warm, balmy winds from the south murmured among leafless branches, and kissed the last vestiges of icy winter from the barren fields. The early birds of spring flitted here and there, in search of food, and the wild geese and ducks still journeyed toward the lakes of Canada, as if eager to reach that chilly clime before the first breath of spring.

From the railroad men who passed through the valley every day, I learned that hundreds of wild ducks frequented the sequestered parts of the river. This was news to me indeed. I could scarce wait till morning to go after these ducks. I remained up late that night loading shells. After getting my hunting clothes ready I went to bed. I may have slept one or two hours, but after that could not rest. It seemed a year till the first faint signs of approaching day appeared at my east window. Then I arose, prepared a warm breakfast, unloosed Dick, my black setter, from his chain, and after eating, started on foot for the "big bottoms."

The sky was overcast with heavy clouds, and daylight brought a light drizzling rain. I kept the railroad for the first three miles and then struck off through a muddy lane that led to the river and the ponds.

Just as I reached the edge of the first thicket there was a whirring of wings and a flock of fine mallards rose and were out of range before I could cover any of them. This incident induced me to be more careful and I approached

the next thicket with great caution. All of these thickets concealed sloughs or ponds, which afforded a secure resting place for wildfowl. There was one pond of large size shaped like a crescent and concealed by a heavy fringe of black alder, where I felt sure I would find ducks. On the north side of this pond the overflow from the river had piled up an immense amount of driftwood, and by keeping behind this it was possible to advance to the very edge of the pond without being at any time exposed to the watchful eyes of any wildfowl which might be on the water. I approached this pond with great care, keeping behind the pile of drift. Dick was aware of the necessity of caution and a cat could not have followed me more noiselessly than he did. Reaching the barricade of drift I slowly raised my head and peered over a large rotten tree trunk. I was rewarded for the care I had used by a sight such as but few men, I think, ever beheld in that valley before. The pond was literally covered with ducks of all colors and kinds, from the big mallard with his gorgeous plumage to the white-headed and white-winged fish duck and the black and blue-winged teal. I was not more than 30 yds. from a bunch of fine mallards but was so shaky that I remained fully half a minute behind the log trying to compose myself. Then I grasped my heavy Parker which contained two shells loaded with No. 4 shot and 5 drams of powder. Rising suddenly to my feet I covered the mallards and gave them the right. They were somewhat scattered and I killed only two, but my left barrel brought down another from above the lower branches of the trees. I sent two more loads after a cloud of teal but fail to stop any of them.

I can never forget the tremendous confusion my first shot caused in that pond. There must have been at least two hundred ducks in a space not over 60 by 80 yds., and they got up with a rush and whirring roar of wings such as I never heard before.

Dick retrieved the three big mallards, the finest I have ever bagged. Placing them in the pockets of my coat I continued my hunt, but found not another duck on the river or ponds.

I noticed many flocks of wild geese and ducks flying up stream, but all far out of range. Knowing that they would see me long before they got over me, and rise out of reach of shot, I resolved to hide and wait for a flock, low enough to shoot at with some chance of success. I found a patch of high timber, mostly composed of sycamore and maple trees, growing close to the river bank, and ending in a wide open wheatfield to the north. I selected a spot on the edge of the timber, where I was concealed by a pile of drift, and could see the ducks and geese as they came over the tops of the trees, without being seen by them.

I had several shells loaded with No. 1 shot and 5 drs. of powder, and resolved to try them at any flock within reasonable distance. After waiting about an hour I grew restless, and was about to leave when I was suddenly startled by the well-known cry of wild geese coming from no great distance.

lower peninsula are reported abating. Many counties have suffered terribly. No lives are reported lost, but property of the value of several million dollars has been destroyed. Grouse must have been destroyed in the egg by thousands and thousands, and perhaps many fawns also perished, though as to the season of their birth in that region I am not so certain. These great fires are public calamities and herein should lie a lesson to the careless camper. A newspaper which has gone into this matter somewhat has the following to say:

"In the great majority of cases these forest fires are caused by willful carelessness. Out of nearly 3,000 instances collated in the tenth census, 1,152 fires were started deliberately for clearing land, 625 by hunters' fires, 292 by what the returns called 'malice,' 197 by reckless efforts to improve pasturage and only 508 by locomotive sparks. In other words, more than 80 per cent. of the fires might have been prevented by the exercise of proper and sensible precautions." E. Horton.

SIX YEARS UNDER MAINE GAME LAWS.

VII.—ON KILLING DOGS.

I AM going to give the tradition of the origin of the law permitting the slaughter of deer dogs, to show the consequences of the practice, the unwisdom of it, the extra-legal abuse of this doubtful privilege, the trouble certain to come from it and the fact that the Game Commissioners were fully warned of what was sure to happen. We cannot deal with compliments now, and the burden of this whole miserable business of dog killing with its dreadful consequences, must be left to rest where it falls.

Deer dogging is not a recent practice in the eastern part of the State. As early as the forties considerable of it was done, although it was by no means general; for the people of the southern part of the State were a race of still-hunters. It is hardly necessary to say that at that period there were few if any deer, except stragglers, west of the Penobscot, so that both still-hunting and dogging were necessarily confined to the regions where both have flourished most ever since. Dogging was not illegal at this time, and did not become so at any season of the year previous to 1853, while it was not prohibited until a later date, some time in the sixties, I believe, though my earliest note of it is 1871.

As has been said, dogging was not at first illegal, and though most preferred still-hunting, it was practiced to some extent, especially in the latter part of the forties and during the fifties. It was then that Rod Park and his pack used to make "such gallant chiding" over the rough granite country that slopes down the Union River. It was noble music say those who heard it. Park was a Veazie lumberman, well known all over the State, an admirable marksman both at game and target, a fine still-hunter for deer, an expert at all outdoor games and employments, the most buoyant, whole-hearted, irrepressible, fun-loving and laughter-making man that ever drew violin bow and loved his friend's quarrel better than his own. His delight in good company drew him from the solitary life of the hunter; his overflowing energy attracted him to the woods, therefore he loved his dogs. He always had a pack of favorites, not blooded, perhaps, but well chosen and remembered long after the limits of their doggyish lives. Hunter, and Panther, who were slain, old Jack who fell by a bullet, and old Spot, the most lamented of all, were of them.

Two lawyers, Bradbury and Wiggin, were frequent companions of Park's at this time, and they hunted together in the Union River country, sometimes from canoe, but most frequently on the runways, which Park liked best. "A cry more tuneful was never holla'd to," but it was not music to the still-hunters. There were wolves in the country then and the deer being in constant alarm from these, were more frightened of the dogs than they now are, so that a pack of hounds was a serious disturbance to still-hunting. But Park was a favorite and the hunters did not wish to trouble him or his dogs, although they complained loudly of his companions. Park was a poor man like themselves, they said, but that rich men's sport should destroy their occupation was a serious grievance, and on account of it Park lost some dogs. Yet there was in this nothing that would cause recourse to law making. There was, however, another trouble to which Park always attributed the origin of the first law permitting dogs to be killed.

Park had his enemies as well as his friends. Those who have driven from Bar Harbor to Bangor on the tally-ho which ran eight years ago, before the railroad was put through, may remember just half way between Ellsworth and Bangor, on the top of a long hill, two old, blackened houses, the only ones for some miles, which stood on opposite sides of the road not far apart. They were the half-way taverns on the stage road, Johnson's on the right and Mike Mann's on the left, and the hill is still known as Mike Mann's Hill. This hill lies midway between Fitts's Pond (now Phillips's Lake) and Reed's Pond (now Green Lake)—two places at which Park and his dogs used to run deer. The tavern keepers on the hill had the bitterest enmity to each other, which Mann at least, who was small in spirit as he was large in stature, extended to all who patronized his rival. And Park always stopped at Johnson's. Whether there was any other cause for this ill will is not known, but on account of it Park was subjected to much annoyance by Mann and when he was in Mann's vicinity. At one time the road leading down to Reed's Pond was filled full of big hemlocks at a certain narrow place between ledges. Again, Parks had some birch canoes left near there maliciously destroyed. These and other troubles occurred about 1851, but the feud was continued.

In 1853, by the margin of the R. S. of 1857, a new and very remarkable game law was passed. "No person shall hunt or kill on any land not his own in this State any moose from the fifteenth day of March to the first day of October, or any deer from the fifteenth day of January to the first day of September, under a penalty of \$40 for each moose and \$20 for each deer so killed. No person not an inhabitant of this State shall, at any time, hunt or kill any moose or deer except on his own land, under the same penalties as above provided. Any person may lawfully shoot or otherwise kill any dog found hunting moose or deer within the time or with the person herein prohibited." The aliens meant are undoubtedly Canadians, for summer travel had not then begun to any extent. But why prohibit hounding in close time only? This is covered by the prohibition to hunt at all at that season one would suppose. Park

always declared that this point was "got up by Mann on purpose to annoy him." It must have been introduced by some one living east of the Penobscot, for those living where dogs were not used would have no interest in the matter. The still-hunters of the Union River would have been little likely to propose legislation on the subject; for they would have killed the dog that troubled them without waiting to have the law passed to permit them, and this law would not have protected them in the fall when they needed it most. Park always said that Mann was at the bottom of it. Note how this might have been.

Previous to the law of 1853, the law (R. S. 1840) had been: "Any person who shall kill any moose or deer between the first day of July and the first day of November in any year shall forfeit or pay for every moose or deer so killed the sum of five dollars." That is, close time previous to 1853 was from July 1 to Nov. 1, the very period when Park was hounding deer, for no one ever kept the law then. The fine was too small to be a requisite to anybody, as only half went to the complainant, so that Mann could have done Park no harm by complaining. But to allow the killing of dogs in close time—that is from July to November—would be the most serious injury possible. If Mann could compass that he had abundant revenge. Mann was not a representative at any time—"he hadn't education enough," said Johnson, his old rival, to me this winter. Whatever he did he must do through others. Supposing, then, that he argued with some representative the need of stopping hounding in close time, the advantages of killing dogs as the means of stopping it, and impressed on the legislator the fact that close time was the period of danger. When the close time is changed from the fall months to the winter and summer months, that representative is still acting in obedience to his constituency by urging that dogs ought to be killed in the new close time, while Mann, if he were guilty, loses the opportunity which he correctly sought, though gaining the letter of his desires. That this change in the game law which he could not help even if he had known it, should take place at the same time that he did desire a change is natural enough, while only such a desire as his could explain the singular provision which allows the use of dogs part of the year, but makes their lives a forfeit for the period when they were least likely to be used. For this is not aimed at crust hunting, as may be seen from the fact that moose may be killed with dogs until the middle of March. It was an unfeathered shaft that flew aslant.

Until a better explanation of the subject is given we may assume, as Park did, that the first law permitting dogs to be killed was framed from personal malice. Even if he were wrong, the history of the law would justify such a supposition. Good it has never done, could not do. The man who loses one dog will buy two more, and will forever hate the man who killed his pet and companion. If dogging is illegal it should be stopped, but never by killing the irresponsible dog. Arrest the offender and fine him—he will submit; but any attempt to kill his dog will be resisted, and in one way or another will harm the cause in which it is done or the man who does it. The slaughter of dogs has caused deer dogging to thrive in this State. Doing it in the name of the law has merely brought the law into disrepute; for it is now and long will be considered a worse offense to kill a dog than to use him in running deer. To arrest the man brings credit to the law and little or no danger to the officer; to kill the dog has just opposite effect.

I will give three examples of the results of dog killing, selecting for obvious reasons some of long standing. In every case I could give fullest particulars and could cite other parallel instances. In the first a woodchopper, hearing a hound, stepped behind a tree and cut out her shoulder as she ran past. He escaped with his life, but it was of little value to him for some time. The dog was owned by Louis Ketchum, the well-known Indian guide, who could give full particulars although at the time he was miles away, having lent the hound to those who had her. The second occurred on Long Island in Bluehill Bay. There was a special law that no deer should be killed on the island, but an Indian named Joe Orons, whom I suppose to be dead, met there with companions to evade the law by driving deer into the water and shooting them from the canoe. He had just killed one in this way when a man, said to be named Henderson, shot his dog. The Indian instantly threw down the gun he had, thinking the range too long for the buckshot barrel, and seized a rifle lying beside him. Careless handling caused a premature discharge, which tore open his coat sleeve and burned his arm, but he once more changed guns and fired at the man before he disappeared. He then searched a house on the island to find him, and failing in this was with difficulty restrained from doing great damage to personal property. Almost any of the Oldtown guides could give further particulars. Nor must it be thought that only an Indian would do this. A white man would do fully as much. I know of one man, now deceased, a selectman of his town for many years, a man honest and trusted and with a host of friends, who declared that he himself had walked many miles and spent two days in trying to kill the man who shot his dog. Nor need reference be made to the two wardens who were killed for attempting to take a dog from its owner, in order to prove the hazard of doing it.

Not only is it dangerous to kill dogs, but of late this danger has been greatly increased because most of it has been done illegally. It is not lawful to destroy any dog not actually engaged in hunting, either on the track, or swimming after the deer, or holding it at bay. Yet most of the dogs killed here for some years have either been poisoned or taken from their owners and killed before their eyes. Need we cite the instances of three dogs taken from one canoe and killed, of four belonging to one sportsman, of one and two in many instances belonging sometimes to residents and sometimes to visitors, but in every case killed while not engaged in hunting? Nor has the least discretion been shown in the dogs selected. One well known and decidedly popular contributor to FOREST AND STREAM has given me his own experience. "When I was in Maine, Mr. H. and I had a narrow chance," he writes, "for the lives of two liver and white pointer dogs (which any person could tell were not hounds) notwithstanding the fact that we offered to show what they were by working them on game." "Hounds and greyhounds, mongrels, spaniels, curs, shoughs, water rugs and demi-wolves," all that in the catalogue are clept by the name of dogs, to misquote—have lost their lives or had them endangered by the law

that however it has been enforced, says only, "Any person may lawfully kill any dog found hunting moose, deer or caribou." Nor has the poisoning been legal. Most of it has been necessarily laid out contrary to law prohibiting its distribution within five-eighths of a mile from "any highway, pasture, field or other improved land;" and any one can see that while hunting the dog would not take poison—"unless he was a very poor dog," adds one hunter slyly. True, the law does not prohibit poisoning dogs, but if they will not take it while hunting and cannot be killed when not hunting, there is barrier none the less strong for being unexpressed. If not killed in the act, the dog cannot be killed in any way, for he returns to his owner who becomes responsible according to the law which says, "Any person owning or having in possession dogs for the purpose of hunting moose, deer or caribou, forfeits not less than twenty nor more than one hundred dollars." "Any person may lawfully kill any dog found hunting moose, deer or caribou," runs the law, not a wise provision at best, but infinitely unwise as it has been administered. Consider the provocation that has been given, the illegality of methods used, the domestic animals killed and supposed to be killed by those engaged in this work, the peril to human life, that this work was kept up for three years in spite of all remonstrances, and it is not hard to see how murder grew out of it as the stalk from the seed.

Even if it had not been done by officials and under orders it would have caused trouble; but those set to protect and defend the law broke the laws, and disaster was inevitable. The Commissioners—that is Mr. Stilwell, who represents them here—had timely and frequent warnings of what would happen. It was not chance that caused the death of Hill and Niles; it was fate. By the same work we shall have more of it unless care is taken. That murder was no surprise, but we expected it nearer home. It was in this way that I heard it—for I was out of the State that year and my father wrote it me:

"12 Nov., 1886.—Dear Fannie: I send two dailies. You will see by reading, that as Meg Merriles told Dirk Hattera'ck, 'It is sown; it is grown; it is heckled; it is twisted.' What I have so long expected and foretold has come to pass, and in the way I predicted—by killing dogs. I went to Stilwell twice last month to talk to him about this very thing. He asked me only a short time ago [if] I really believed any man was bad enough to kill another. I told him I did not think, I knew it, and it would be done if he kept such a set of men as wardens and allowed them to do such things. I do not know any of the parties. They may all be angels for all I know. I know the place exactly, as I have slept on the very same spot."

The original of this, with other important documents published and unpublished, is in the hands of the editor. On receiving it I formed the resolution which I have held to ever since, not to stop until the time came to prevent worse evils by showing up these. Unknown to me my father had decided to do the same, had written to the editor of this paper about it and then withdrawn because the danger was not then pressing and the Commissioners needed what support could be given. The danger is here again. We have a new set of laws yet untried, and worse conditions than at first for enforcing them. In giving the results of years of study of these matters, it must again be stated that there is no personal advantage to be sought; no desire to present more than can be proved, but the necessity of saying less; no hatred to any class, for none

has injured me; no wish to bring our wardens into disrepute, for some of them could not well have blacker reputations than they now wear; no wish to disparage the Commissioners, for their works are their judges; no thought to stir up trouble—for there is more abroad at present than most realize. To prevent trouble, to save respect for those broken laws before it gets too late, to diminish the danger to human life—that of these wardens and of better men than most of them—is the only possible advantage.

FANNIE PEARSON HARDY.

KANKAKEE MARSH.—Chicago, May 20.—In a recent issue of your paper your talented but misinformed Chicago correspondent accuses the members of the Cumberland Gun Club of spearing fish on the Kankakee Marsh. I am the only member of the club that has had a spear on the marsh this spring, and my only spoils were a few dogfish. Some of the members of the club will go gunning (or spearing) for friend Hough unless he is a little more careful how he advises them as violators of the game and fish laws.—GEO. T. FARMER.

CHICAGO, May 20.—Editor Forest and Stream: Your issue of May 6 over signature of E. Hough you state that the members of the Cumberland Gun Club have been spearing pickerel on their marsh. On behalf of the members of the Cumberland Club I am authorized to deny this declaration, and say that not a member of the club has engaged in any such practice, and would thank you to correct the statement in your next issue.—W. L. SHEPARD, Sec'y.

TEXAS GAME LAWS A FARCE.—Beville, Tex.—Seeing the great slaughter of game going on out of season, our club has offered a reward of \$25 for information that will convict any one of violating the deer law. An effort will be made to have the turkey law changed, as at present it is worthless to southwest Texas. In a law to apply properly to this section, the open season should come in about Aug. 15 and close April 1. I believe the State labors under another disadvantage, that is we have no game wardens. The old saying, "What is everybody's business is nobody's business," applies well to this case. Nine times out of ten one neighbor will not report on another, and so it goes: and the game laws are almost daily violated. Bob White is holding his own very well, notwithstanding the pot-hunter and the law-breaker, and the fall shooting promises to be fine. The festive gobbler was never more plentiful or boisterous than at this time.—T. J. S.

NEW JERSEY QUAIL.—Smithburg, N. J., April 25.—The prospect for quail shooting in this vicinity next fall is very good. A good many wintered over and can be heard whistling in all directions. There is quite a number of ruffed grouse in the pines south of this place.—B. L. W.

RAMBLERS' OUTING CLUB.—New York, May 19.—The Ramblers' Outing Club has reorganized with the following officers: Pres., F. E. Fox; Treas., W. G. McCabe; Sec'y, R. C. Russell. The club holds its weekly meetings every Monday evening.

"BONES AND... paper of April contains so much attention to the sentences... "14drs." of p... second line, t... paragraph se... printed "10z... two, the word... five of the san... moderate cycl... oversight. Th... hand, both t... buckshot."—J

WISCONSIN... notice what y... in last issue... be protected... column under... referring to wa... so readily viol... laws.—C. V. Y

"If I can get... long ago. I kn... that would kee... server him to... Ben confided... went on, and... fully." Then I... planning and... on Saturday w... night! Well, i... day active pr... put in order, s... are necessary... by the boys b... server must h... putting an im... and rubber co... hunting coats... not least, a t... man were wait... one to dinner... up in desper... family were a... were not to st... carriage and o... set out on his... go and I am a... My part of the... ing that noth... and coats were... meet them on... gentlemen and... late years the... who can only... up, and if they... the benefit of... flushed. Father...—extra coats... gun and shells... and rope in o... When I return... They were wil... then the carri... the observed... aware of the fa... another tiny d... ready to start... boys were off... our hunters re... snipe. As they

ONE HUNDRED... snipe. As they... few notes whic... "Well, I rea... several stops, b... and began to... I got so uncom... river. I only w... the wind had d... loved our st... who drove up... say that any o... hasty breakfas... hour I did most... in fact I almos... flock come dow... two as they re... next one I kille... once the duck... meadow grouse... tive for Mr. H... dinner, as it w... had much luck... which snipe ne... boys had succe... made an agree... hunt until Sept... I feel as if I w... able to quarre... the fisher from... GRAND HAV

THE FULL T... Territories an... the Game La

WA... ONE of tl... been i... was 4ft. in... Sons: it wa... Point, 30 mi... given at 96l... nearer the m... by Capt. J... me, their sei... but this year... seldom go o... 50lbs. each... by a slack in... do not like t... Speaking... fish, I hold t... and served v... in the fish li... April 30 I... market from... dozen, aggre... fish, and apr... "Frank F... this mornin... has landed it... You have... caught in t... other big o

SIX YEARS UNDER MAINE GAME LAWS.

VIII.—AN ASPECT OF THE GRAVES CASE.

THE murder of the two wardens, Niles and Hill, by Calvin Graves, in 1886, was the means of calling forth a sympathy for the latter which to those not intimate with all that had preceded must have seemed unaccountable. I do not refer to the reckless talk of desperadoes and malcontents who delight in upheavals; but sober-minded men of character and good repute, who disapproved the act, felt and still feel a sympathy for the actor. Anomaly as this is, it is what has happened before often enough when the side which wielded authority did not do it according to justice.

Of course this murder has been extenuated in every possible way on the one hand, and been intensified with equal ingenuity on the other. It is beyond the province of this paper to enter into any discussion of the case—whether it was in self-defense or otherwise, provoked or not, deliberate or the impulse of a fiery moment. It was done—double murder. The courts have investigated all the facts pertaining and by their sentence expressed unqualified disapproval. There can be no reason for seeking to differ from their decision and to discuss the case here or seek extenuations would virtually be doing this. Yet there is an aspect of the case which did not enter into the trial in court that has had weight in producing the sympathy which I find exists toward Graves.

The trial was for murder. It did not therefore concern itself with questions whether Graves at the time of committing this act was engaged or purposed to engage in breaking the game laws. An authority so high that investigation of the records seemed needless after his statement, has told me that no evidence was brought on to show that Graves was hounding deer. The only testimony on the point, he said, was that McFarland, his companion, went away with the dog and returned with it about noon tied to his belt. The keen eye of the public took note of this fact and the attempt has been made on Penobscot waters at least to show that Graves was the one attacked. Without in any manner pretending to settle the point, indeed without considering it important except as producing sympathy for Graves, we may examine the grounds of this claim:

The place at which this deed was committed is a peculiar one. Five lakes of the same chain—First, Second, Third, Fourth and Fifth Lakes Machias—are arranged almost in a circle, the head of Fifth Lake lying very near to First Lake, with Fletcher Brook cutting off half of the remaining distance, the whole inclosing a piece of land nearly, if not quite, thirty miles in circumference. This unfits it for hounding, because the deer when pursued are quite as likely to run into one of the other four lakes as into the one which is watched. All who are experienced in the use of hounds declare that it is one of the poorest places in the State for that work. There are deer enough within this region, but they cannot be obtained with hounds. Yet Graves and McFarland were hunting here on Nov. 8. Either they were not hounding deer or they did not know their business, say those who know no more of the circumstances than was published in the newspapers. Not only is this section entirely unfitted for the use of hounds, because it is so surrounded by water and devoid of natural runways, but there are no boats on any of the five lakes except such canoes as the

Shaws of Lower Dobsy own and keep for their own use on the further side of Fourth Lake. It is well known that Graves and McFarland had no boat. This greatly diminishes the probability that they were hounding. They were in a county where deer could not be dogged successfully, where they had not the ordinary means for pursuing them in the water, where there was little chance that they could be posted so as to shoot at a deer on the land because most of it is too flat to afford runways, yet they had a dog with them. It is well known here that there are dogs, rarely but yet sometimes found, which are trained to keep close to their masters and by whining when they catch the scent of a deer direct the attention of the hunter to the right point. When the deer is wounded they will keep the trail when otherwise the animal might be lost. These dogs are sometimes owned and used by still-hunters here, but the practice is not general. Because the location in which Graves and McFarland were hunting was so unfavorable to the use of hounds in the usual way, because also when they came back after an unsuccessful hunt the dog was with them, which would hardly have been the case if he had been put out after a deer and lost him, it has been supposed by those willing to put the matter in as good a light as possible that the dog was one trained to aid in still-hunting and that the men were not engaged in hounding at the time. If this is true—and it is purely a supposition—sympathy with the accused would be the natural consequence; but it would follow equally if the supposition were merely a probability. Having seen enough of the ground myself to judge the matter, and having conversed with those who knew it thoroughly and also knew about hounding deer, there seems to be nothing inconsistent in the theory, though it is probably nothing more than an ingenious explanation of what might have been true if events had been different. No confidence need be placed in the truth of this supposition, for its influence lies in its existence and the absence of known facts to disprove it. It throws the burden of the crime upon the wardens and partially exonerates Graves, which is all that is desired. For, if this is true, though when strictly construed such a use of a dog might be found illegal, it is so different from ordinary hounding that no one here would consider it a violation of the law. Then to the illegality of attempting to take a dog from its owner instead of fining the owner, is added this still further complication of taking a dog which was supposed to be used in a way not contrary to the statute, when the owners, by the testimony given in court, were attempting to carry it off to avoid a quarrel which the wardens themselves provoked.

Give this not because it has any value as fact—probably has none—but because it shows how keen people have been to discover extenuating circumstances, how they seized on the absence of evidence to construct a defense, how they have not ceased to continue to do this. How prevalent this sympathy may be I cannot tell, having deemed it unwise to discuss the matter more than was necessary; but I never heard a woodsman or back-settler speak upon the subject who did not feel less severe in his judgment of the doer than of the deed. On Machias, where the event occurred and the men are known, a very

different sentiment may prevail, but on Penobscot, where personalities do not enter into opinions formed and the knowledge of the facts is very likely limited, there is a sympathy felt and expressed which must be recognized. If the reports which I have received at second hand are at all correct, the feeling is not by any means so limited in its extent.

Although not bearing directly upon the subject in hand, I have deemed it important to speak of this sympathy with Graves and this tendency to find excuses for his deed, because a timely recognition of it is needed. The excuses may be flimsy fabrications, but the sympathy is a fact which must not be denied, and I do not find that in the records that I have kept for the four years past there is any material abatement of it. It is a dangerous element in the present status—dangerous because the feeling is divorced from the ethics of the case, and exists side by side with condemnation of the act, dangerous because it does not stand as staunchly by the decision of the courts as it should, and also because it is shared by honest law-abiding men with the dishonest and lawless. Yet it is the inevitable result of certain given conditions. The representatives of the law had been acting unlawfully, and had alienated from their support a large body of people. Some of them had gone so far that their lives were in danger if they went beyond well understood limits of both territory and action. The provocation was great and long continued, of a kind very often most difficult to prove, highly exasperating to public feeling and yet not sufficiently damaging to property to warrant recourse to law in the cases where proof could be obtained. Appeals to have the wrong suppressed were made and the petitions were disregarded. The dangers feared with sufficient evidence of what occurred under less irritating conditions were detailed and rejected as visionary. There was no redress of the wrongs, but they could not go on much longer without being avenged, and it was only a question of circumstances sufficiently provoking and a man whose judgment or self control had deserted him to decide where the inevitable event would occur. It came like a great shock to one-half of the State, but to another part it was an arrow sped which slacks the tension on the bowstring and brings the bow back to its shape. The hunters, the back-settlers, the people of the small towns of eastern Maine were relieved from future fears and a sympathy with the one who had removed from them what might well have happened nearer home was natural. That the deed seemed not to be prompted by personal malice or premeditation removed much disapproval which would otherwise have been felt. That so good excuses as the one already given could be constructed without violence to any known facts was considered an additional reason for allowing the impulse to get the better of the judgment.

I would not wish to over-estimate either the amount or the extent of this feeling, too common anywhere, far too much so on Penobscot. It will do no harm at present, but with the recurrence of conditions similar to the old ones its power will be felt as a serious obstacle to the course of justice. Just how this will occur need not be described, but there is a way already suggested by some which makes it seem better to avoid than to incur the risk. For this danger to the laws and their action seems to me a more serious evil than the loss of life which is also to be feared. Concerning the latter there will be differences of opinion; but the ones to underrate it will be

those who know least about it and those who know most will not be likely to tell all they know. In eastern Maine there is continual risk that a repetition may recur, and there is a fear and distrust lest the old conditions may be renewed, thus precipitating the danger. It is not expedient to say why it seems necessary to speak of this sympathy for Graves further than what has been said, but I have heard too much on the subject without seeking it, and been forced to read too far between the lines sometimes when little has been said, to consider the matter one of light import. If local, restricted to comparatively narrow limits, it will spread fast enough; if of wider range it is still worse; but as a fact it must be faced and considered. There is no excitement on the subject now, and this is the time to prepare for the eradication of such a sentiment as this and the protection of our higher forms of administering justice, by a just and equitable enforcement of the game laws by men who will be respected for their personal worth as well as for their office. Otherwise there is danger. A careful study of sociological conditions here and a good acquaintance with the history of the woods for the past sixty years have left no doubt in my mind that murder has been historically much more common than most suppose; that it still is likely to occur at any time when personal revenge or a rule but extra-legal sense of justice demands satisfaction; that it may be committed by men who are not dishonest and who would scorn to do a mean act, and that if the man who does it has borne a fair reputation previously and acts in a way for which any possible justification may be found, he will obtain a sympathy which will hinder the cause of law or largely annul the effect of the sentence. Under our game laws, administered as they have been for the past few years, this is sure to happen in event of another Graves case: for the public conscience has gone wrong and we who have grown up under this strained and distorted condition where officers of justice have been unjust and rights have been made wrong, hardly know what right is and what wrong is in game matters.

FANNIE PEARSON HARDY.

NORTHAMPTON, Mass., lovely for situation and famed as the seat of Smith College, is a center of culture and learning and refinement, but at Barr's, its principal restaurant on the main street, they serve quail on toast in the month of June. If there is a gun club or a game association in Hampshire county, we commend them to secure a revision of the Barr bill of fare.

TOURIST TICKETS.—The Chicago & Northwestern Railway Co. has placed on sale tourist tickets at reduced rates to principal resorts of the West and Northwest, including Colorado, Wyoming, Idaho, Montana, Utah, California, Oregon and the Puget Sound country. Many of these excursion tickets give the holder privilege of going by one route and returning by another, and the favorable arrangements in the matter of return limit, stop over privileges, etc., commend them to the special attention of the tourist visiting the West and Northwest. Full information can be obtained at any ticket office, or by addressing W. A. Thrall, Gen. Pass. & Ticket Agent, C. & N. W. R'y, Chicago, Ill.—Adv.

Sea and River Fishing.

THE FULL TEXTS of the game fish laws of all the States, Territories and British Provinces are given in the *Book of the Game Laws*.

ON THE NORTH SHORE.—VII.

[Continued from Page 391.]

ABOUT 10 o'clock the steam tug arrived, bringing Hon. Aaron Turner, the publisher of the *Grand Rapids Eagle*, a fishing companion, and also a naphtha launch, which was in tow and which had just been purchased in the East by the veteran editor, and I might also add angler, especially for the outing he was now taking. I have no desire to make any disparaging remarks about the use of a naphtha launch on Lake Superior for a trip of this or any other kind; but simply state that since the Atlantic has been crossed by a single man in a smaller boat, there is a prospect that this naphtha launch, which is about 20ft. long, might with safety operate here. But I will assuredly cling to the Mackinac sailboat as the safer of the two. I hope Mr. Turner, who is an old friend of mine, may have many a pleasant trip with his launch, which, in justice to the little craft, I must say steams along o'er the gentle waves like a bird on wing.

The Turner party camped in our immediate vicinity, and in the afternoon, accompanied by Capt. Ganley, took the naphtha launch and went to the other side of the bay to try for trout, but returned in the evening without a scale.

Ned was pleased to meet with the old veteran guide of the Nepigon, John Borshea, whom Mr. Turner had brought with him from the "Soo." They related many reminiscences of angling on that famed stream which deeply interested me. John stated that he had been upon the Nepigon early this season with a party from Pittsburgh, who found the trout more plentiful than ever, owing, he thought, to the low stage of water that prevailed. The men went poorly provided for comfort, having thin blankets and rather slim commissary stores, and were, therefore, soon sick of the trip. The Turner party came over to our camp about sunset, and when they looked into our tent and saw our mattresses in beds of balsam a foot deep or more, our heavy blankets, mosquito bars, inviting pillows and the like, were high in praise of our thoughtfulness, and declared that we had made camp life both a charm and a delight. Ned and I being old campers and on the shady side of sixty, had made somewhat of a study of camping, believing that comforts never came amiss in an outing of this kind.

Ned received by the boat a bundle of papers and some books, which were sent by his thoughtful wife from the "Soo." These were very acceptable, as the papers gave us the first news from home since being in camp. The afternoon had been exceedingly bright and beautiful, and as the evening approached cloud fleeces of orange pushed up over the edge of the west, while a fragrant breeze caressed the lake, sending lilac shudders over the gentle ripples which soon smoldered into smoky gold. The evening being cool, as they always are in this latitude, a roaring camp-fire was built, around which gathered the Turner party, Capt. Ganley and his brother, and

ered the Turner party, Capt. Ganley and his brother, and the swarthy boatmen, and then story telling and discussion of varied topics, from law to theology, were indulged in till a late hour.

Capt. Ganley announced as he departed that the tug would leave in the morning at 6 o'clock sharp, and advised us not to tarry over our tea and trout if we desired to take passage with him, as he was a decided railroad man as far as the time-table was concerned. We impressed this fact duly upon our boatmen, and then we turned in to court "tired nature's sweet restorer, balmy sleep."

Ned arose early in the morning and awoke our boatmen, who did not seem to relish the idea of going up the lake. We, however, hurried them with the breakfast and the packing, and just made the boat as she was leaving the dock. Jee did all he could to have us left, but being up to his contemptible tactics he did not succeed in his efforts.

We ran along a coast replete in bluffs and cliffs that was every minute increasing in picturesque beauty. Arriving at Mamainse, where Mr. Turner and his party disembarked, and where they expected a most delightful time in the pleasant recreation of coaxing from his watery lair with dainty fly the peerless prince of the spotted robe. The Rasaine brothers have a large fishery here, which has been carried on at this place for the last thirty-five years, having descended from father to sons—the present proprietors.

It is a lovely place, and just before the veteran angler left the tug he took a sweeping glance with an admiring eye at the massive bulwarks of rocks that lined the abrupt shore, and then turning to the verdureless islets gleaming in aged gray, remarked:

"These things delight me beyond power of expression." It was evidently a landscape that any lover of grand and sublime nature would rave over.

"For all is rocks at random thrown,  
Black waves, black crags, and banks of stone,  
As if were here desired  
The summer's sun, the spring's sweet dew,  
That clothe with many a varied hue  
The bleakest mountainside."

From Mamainse onward the character of the shore changes. Instead of the low sandy islets, we now pass among isolated rocks of greenstone, rising abruptly from deep water, generally bare, but sometimes covered with a tuft of trees at the top. The rock which about Gros-Cap is sandstone, often unaltered, now becomes more highly metamorphic. But the larger islands and the base under the cliffs continue of sandstone, and are flat and low for some distance to the northward. The line of the cliffs is continuous, rising at a distance of a quarter of a mile at most from the water, with an average of 200 or 300ft. The whole surface, down to the very beach, was covered with trees; indeed, I may say once for all, that with the exception of some ancient terraces of fine sand and gravel, and a few summits of bare rock, the entire shore of Lake Superior as far as we went is continuously covered with forest. The trees continued the same, except that the white pines and maples had disappeared.

line. Seven miles of the stream has been taken up by the miners, and quite a number of men are at work ground sluicing. From a man who passed through the Park a few days ago we learn that very little gold has been seen. One "clean-up" did not pay the miners half wages; he claims that but a small portion of the ground claimed, if any, will pay to work. He also says that this year will prove if there is anything worth working for. If not the camp will be abandoned by October. Nothing is known here about the third camp, which is said to be near the headwaters of Graybill River, and is a placer camp. It is claimed that the silver camp has some very valuable mines or prospects, and many think they will not be taken in when the lines of the new reserve are surveyed. If they are valuable mines and on the reserve, every effort will be made to have the lines changed so as not to include them.

A fire destroyed over seventy tons of baled hay at Ft. Yellowstone (Camp Sacajawea) a short time ago. For a while it looked as though it would be impossible to save the buildings. Fortunately the wind was not high and in a favorable direction. This fire was supposed to have been started by tramps.

The Government is expending over \$70,000 on buildings and improvements for the new fort at the Mammoth Hot Springs. A large force of men and teams are employed laying foundations and getting material on the ground. Hundreds of men and teams are at work for the Government and contractors on the new wagon roads. More work will be done and more miles of road completed this season than ever before in the Park.

There are now at the Mammoth Hot Springs a few animals belonging to the National Zoological Park captured by the Smithsonian hunters. These are elk, antelope, bear and foxes. All animals captured will be held at the Hot Springs until after the tourist season closes. They can be seen by all visitors to the Park.

Small bands of buffalo are reported, and quite a number of young, showing the number of these animals in the Park is increasing.

I constantly see accounts in the papers about Robert Ray Hamilton, who was drowned in Snake River a few miles below Jackson's Lake, Wyoming. It is said that he has been seen this time in the National Park; the man who claims to have seen him did not speak to him. Mr. Hamilton was accidentally drowned while trying to ford Snake River last summer; his body was not found until ten days after. A party of gentlemen from New York, who were camped near where he was found, recognized the remains; the cold water had preserved them from any change. As there is no settlement within over a hundred miles, he was buried at Jackson's Lake, within a short distance of a hotel and sportsman's resort in which he was interested. Since then sensational writers have been having him appear in all parts of the world. Others have drowned him all the way from Jackson's Lake to the mouth of the Columbia River. It is a pity he can't be allowed to rest quietly in his lonely grave beside Jackson's Lake. Mr. Hamilton was the eighth man drowned in Snake River last summer. Every season sees several persons drowned in the swift mountain streams of this section, but very seldom within the boundaries of the National Park. Most of the guides know and understand the danger of attempting to ford the streams when they are at all high or deep. The parties who are drowned are always alone, are without guides, and do not know their danger or the strength of the currents.

The game in and about the Park are very kind to show themselves to visitors. Very few people have been

themselves to visitors. Very few people have been through this season who have not seen some of the wild animals. Bears appear to congregate about Mt. Evans and the Blacktail country, eight having been seen in one day. One large one killed a small grizzly cub that was chained up at Yankee's Station. The cub was intended for the National Zoo. Another large bear that had been around the hotel at the Lower Geyser Basin was captured in a trap and sent to the Smithsonian Institution.

A STREAK OF LUCK.

IN hunting, more often than in any other pursuit or recreation, does the unexpected happen, and, in fact, one of the chief charms of the sport-man's holiday is this very uncertainty as to what beast or bird of sport his next step in the jungle will bring him face to face with. Nor is the most elaborate preparation at all likely to be followed by corresponding success; on the contrary, how often does the hunter, with but a single cartridge in his belt, or with an empty rifle on his shoulder, find himself suddenly confronted by the grandest specimen of the very animal he is in search of, which a month of effort has brought into sight.

Though all lovers of the chase and of the wilderness have more days of lost toil and effort than those of bright success, yet, naturally enough, all love best to remember the red-letter days of legitimate sport, and it is these same red letter days that are most often written up.

All this comes naturally enough, and it is one of these same sunny days of the hunter's life which I wish to picture for the readers of our dear old journal.

Once again the venison had disappeared from the cabin, and the usual clamor arose from the kitchen, and although but three cartridges were found in the belt, and the sun was within an hour of setting, once more the old Sharps was shouldered and the old uncle turned his moccasined toes toward a timbered ridge to the southward of the cabin, in the hope that a deer might be found before dark. Express balls were in each cartridge, with a full shell of 120-grs. powder behind each.

The ridge was covered with scattering trees of large timber, and the intervals grown up with brush and small pines, very little open ground to be found. This dense cover made good hiding grounds for deer during the day and I hoped that as nightfall approached they might be found feeding in the openings, when the chance for a good shot was quite probable if they could be approached in silence.

Strolling slowly along up the ridge, following a cattle trail which enabled me to proceed silently, I reached a point about a mile distant from the house, when feeling one of my moccasins becoming loose I sat down upon a log to adjust the lacing.

While seated, and still busy with my moccasin, one of the wretched little red squirrels common to our pine timber caught sight of me and an earth with began to chatter loudly and persistently, and an eagle perched upon a tall tree near by noticing me now for the first time screamed

loudly; another squirrel joined the serenade and the eagle's mate just then arriving from the lake, a few miles distant, perched near the first and joined in the reigning pandemonium until the old woods rang again. (These red squirrels are one of the very worst pests the hunter in our mountains finds to annoy him. Almost invariably their chatter, which is shrill and continuous while the hunter is in sight, will "give him away" to the deer, if any are near by, as they have long since learned to regard the squirrel's chatter as a note of warning.)

Suddenly the loud snort of a frightened deer a few rods to the left notified the squirrel of the success of his mean trick of intermeddling, and as the deer dashed away I ran forward a few yards to some rising ground in an opening in the hope of getting a flying shot. Nothing was to be seen, as they managed to keep well under cover, and after waiting a long time in the vain hope of their still showing up, I slowly journeyed on, muttering anathemas at the little meddling wretches who have so often on similar occasions contrived to rob me of success at the very instant of its culmination.

The sun had set and night was coming fast. Reaching at length the crest of the ridge, where it breaks steeply down into the valley of the Colville River, I paused upon its summit and took a long and careful survey of all the hillsides, far as an opening appeared among the trees and rocks. At length something was noticed about 250 yds. distant down the hillside, which in shape looked near enough like a deer to cause me to watch it intently; after a long interval of scrutiny a slight movement of its head satisfied me, and taking as careful aim as possible in the waning light I let drive.

Away went the deer with its flag bravely flying, and was soon lost to view among the trees, yet just the last jump made while yet in sight appeared to be a staggering one. Hurrying carefully and silently down the hill toward it I had gone about 50 yds. when another deer was seen to stop in its run along the hillside and stand about 100 yds. distant, looking nervously about from side to side in search of the hidden enemy. I did not want more than one deer, but I was not at all sure yet that I had got one, and taking a quick aim, fired again. The same result exactly followed. After a short run with uplifted flag it disappeared, and its last jump seemed awkward. Reloading I started in pursuit, when I saw still another deer running up the hill from below toward the one last seen, and when within about the same distance from me as was the last one shot at, it stopped. With my last cartridge in the gun I fired again and he fell in his tracks.

Hurrying down I found both the others, each within 50 ft. of the spot where last seen. While rejoicing at this unexpected streak of pure "luck," I regretted the unnecessary killing, yet of course felt bound to shoot until I felt sure of meat. And let no sportsman bewail any supposed waste of good meat. Not a pound of it was wasted, our neighbors gladly assisting us in disposing of it.

And now came, to me, the strangest part of the whole adventure. Night was coming on rapidly, and in my haste to dress the three deer I stood the faithful old Sharps up against a small pine, and hurried to the work. When ready to return no gun could be found, although I hunted vainly while the fading light lasted, and not until my son and I came in the morning for the game did we find that while busy with my work the rifle had fallen from its place and slid down the steep hillside among the brush and grass, and only by another streak of luck was it found at all, as I could not be certain which of all the trees on the hillside was the one against which I had leaned it.

ORIN BELKNAP.

leaned it.

SIX YEARS UNDER MAINE GAME LAWS.

IX.—THE JOCK DARLING CASE.

NO game case of this State has enjoyed the notoriety of this, and none seems to have been less generally understood. Did it check hounding? Did it crush Darling? The full force of the negatives can be appreciated only by those very intimate with Maine game matters for the past year.

On account of the misapprehension which prevails regarding what was accomplished and the personal prejudice involved, it is of all the game cases on record the most difficult to explain. Few are so bound up in the personality of an individual, and few depend for their influence so little upon the facts and pleadings recorded by the court, so much upon what forms no part of the court record; for, as a legal decision, this case accomplished nothing of importance, but as a power to affect public opinion it had a weight entirely independent of and not commensurate with the court ruling. The case was decided in favor of the State, yet nothing that has ever happened in eastern Maine, not even the dog-killing, has done so much to hurt the Commissioners as the Darling case. The Hammond case, famous as it was, fell far short; for the injustice there, though flagrant, rested on a point of legal interpretation, while here it lay on an abuse of legal methods, for which, as the State was the prosecutor, the Commissioners were popularly held responsible.

The great interest which attaches to the case arises from the fact that with good ground for procedure, in a cause and against a man, both believed to be in the wrong, the case could have been so handled as, against popular prejudice and an adverse court decision, to win to both the cause and the man more tolerance and good will than they ever had enjoyed before. How this occurred will be shown. For the rest it need only be said that the principal charge on which the case rested was nowhere denied or doubted, and the decision of the court was manifestly just. Darling had for years been openly engaged in deer hounding. That he should be capable of overcoming the opposition which was very strong against him, of maintaining his insecure position and strengthening it, of winning good will which seems to be continually increasing, indicates an ability with which he is not popularly credited. It has been to his advantage that he has been under-rated by his enemies, but personal justification and personal conviction stand equally apart from the purpose of these papers. In speaking of Mr. Darling's character it is enough to say that he is better thought of near home than away from it; that his candor and honesty are believed in by those who know him, and that he is not and never has been an outlaw as is so frequently declared. This being admitted, what follows will not be hard to understand. As a review of the principal facts of the case in hand I will quote portions of two accounts published at the time in the newspapers.

BANGOR, Me., Nov. 4.—The officers say the arrest of "Jock" Darling, the Lowell outlaw, whose arrest for illegal hunting was reported in the *Harb.* is the most important capture made for years. Well-laid plans were made by Commissioner Stilwell and Detective William McNamara, of Boston. They claim to have secured enough evidence to prosecute to the full extent of the law.

They were out each day with the dogs, "Jock" putting out the dogs twice each day for three days, the guides doing the business the other two days. They killed four deer, one each themselves, Darling one and a guide one. They came upon Darling after the dog had run the deer into the water, just after he had shot him. They heard the report of the rifle, which was still smoking when they came up, and the deer was still warm. McNamara says they were obliged to kill the deer to accomplish the purpose for which they went there.

As the offense was committed in Hancock county, they were obliged to go into that county to swear out warrants against Darling and his guides. The warrants were sworn out and assistants were obtained. On their way to Darling's camp they met Darling in the town of Lowell and immediately arrested him. "Jock" wanted to go to his house to change his clothes and get his overcoat, which the officers insisted on, but said one of them must go with him. But "Jock" insisted on going alone, when the officers would not agree to, and he was arrested handcuffed, and officers Davis volunteered to bring the dog man to this city. While the others kept on to the camp in quest of the guides, Darling in some manner sent a warning to the guides, so they disappeared before the officers arrived. Darling had \$70 with him when arrested. Darling is charged with hunting deer with dogs, keeping dogs for that purpose, and hunting deer without deer on Sunday.

The second, from the *Calais (Me.) Times*, gives some additional particulars. Both these extracts may be considered as official, since, aside from internal evidence, one comes from Bangor, the home of Commissioner Stilwell, and the other from Calais, the home of Game Warden French, who laid the plans, which Mr. Stilwell approved and McNamara executed. (The italics are not in the original.)

Darling's camp on Nicasious Lake is very difficult to reach, and is a sort of stronghold for poachers. It is fifty miles from any railroad station, and to reach it one must travel over a rough road. McNamara, accompanied by Swanton, of Milbridge, made their way to the camp with much difficulty, and engaged quarters with Darling. They hired his guides and dogs to hunt deer with, paying well for them. They remained five days. When McNamara and Swanton had obtained all the evidence they wanted, enough they thought to convict Darling on some twenty or thirty cases, they left the camp. As the offense was committed in Hancock county they were obliged to go into that county to swear out warrants against Darling and his guides. Accordingly they went to Bucksport, where the warrants were obtained. Constable George Davis and sheriff James Swanton, with a formidable party, set out for Nicasious Lake. On their way to Darling's camp they met Darling in the town of Lowell and immediately arrested him.

Darling was arraigned at Bucksport, Monday, before a trial justice. The justice found Mr. Darling guilty and fined him \$40 for the deer which it was charged he killed, and \$20 for each of the dog which the other parties admitted that they killed. He was also fined \$20 a day for keeping dogs to hunt deer two days, the whole making \$200. On the question of costs there was some argument. Mr. Voss (Voss) suggested that the case of bringing seven men from Milbridge to Nicasious Lake to arrest Jock Darling be charged to the prisoner, to which Col. Hutchinson (Hutchinson) objected, and said that any one officer could have arrested Mr. Darling without a bit of difficulty. The cost question finally went over for the counsel to talk over and see if they couldn't decide upon something satisfactory. The case was appealed and will come before the supreme court at Ellsworth on the 8th of April next. Other cases stand against Darling. The officers who went to Nicasious to arrest the poacher found that they had taken the alarm and fled. They will be captured later.

From these accounts it will be seen that a Massachusetts detective, not a Maine warden, was employed to collect proof, which of course was perfectly right; that this man then swore out warrants, which was not at all right according to our laws. Then seven men were sent all the way from Milbridge in the southeastern part of Washington county to Nicasious Lake in the northern part of Hancock county, via Lowell in Penobscot county

part of Hancock county, via Lowell in Penobscot county—a long and roundabout journey, and expensive because train communication can be had only part of the way. What the object of this was it would be difficult to discover unless to add to the expenses and force the prisoner to pay them, as was actually attempted, for there was no possible good that they could accomplish. If the object was to arrest Darling's guides by force in the woods, there were not men enough sent; otherwise there were too many, since one unarmed man with a warrant could do more than a posse. If it was supposed that this number was necessary to overpower Mr. Darling singly, there was an entire misapprehension of his character. In like manner the use of handcuffs, though probably intended as an irritation, had no sufficient excuse. It was the officer's duty to keep his prisoner securely, yet in insisting on this point there was shown the same misunderstanding of Darling's position. Resistance to authority is no part of his plan, as lack of control is no part of his disposition. His word would have been the only guarantee needed; because had he attempted escape he could have been held on a graver charge than the one for which he was arrested, and had he wished to make the attempt he could have done it as well with the manacles as without them. Finally, the refusal to allow him to change his clothes was either a piece of short-sightedness or another unnecessary annoyance. According to the report published at the time, from information which must have been derived from official sources, Mr. Darling had above \$700 on his person at the time of his arrest. From a number of sources I am informed that he offered to deposit this with the officers as security, if they would permit him to change his clothes. There is every reason for believing the statement. Without questioning the officers' reasons for refusal, it is none the less true that the favor might have been safely granted. Here was full indemnity to the State against personal loss, and no real danger of any loss. Darling knew that the charge was a violation of the game law; that the penalty could not be anything more serious than a fine. Even if he had determined to abscond, leaving his money, he would be doing it on uncertainties, since he did not know the specific charge, and would be making himself the outlaw he had falsely been declared to be, thus practically forfeiting his home and all his other property.

The indignity of this treatment, which had to be admitted, reacted strongly in Darling's favor; and his non-resistance and refusal to accept interference in his behalf left the officers to bear the odium of unnecessary severity. Then it was found that he was arrested on defective warrants, and on these warrants fined not only for keeping dogs and for killing a deer himself when in the employ of McNamara (though here the employer is always looked on as responsible for the action of the guide), but for the three deer that Swanton and McNamara killed themselves. This was outdoing justice's justice, even as we get it in Maine game cases.

But these were not all nor even the greatest of the indignities offered. I had heard from a number of sources

the account of his arrest and trial, but this winter, wishing to get a continuous and accurate account, I wrote Mr. Darling about it. He also called during the winter, the first time I had seen him for many years. From his letter and oral statement the following account is compiled. Full references were given me for substantiating the different points, and I believe the account to be correct.

"At the time Stilwell sent McNamara to Nicasotowis Lake to get evidence against me," he writes, "I had a sick daughter in Massachusetts. I had been there to see her, and the doctors told me that she could not live but a short time. The rest of my family was there with her. I felt so bad that I could not bear to stay there. I went home and McNamara and Swanton came to my house and wanted me to take them to Nicasotowis, deer hunting. I took them to the lake and stopped one day. They hired each of them a guide and killed three deer. I killed one the day I was there. They killed two on Sunday and I went home Sunday. Before I went I saw them from the house at the lake kill two. I sat on the steps of my door and saw them shoot them. McNamara stopped two days after I came down and hunted and then went directly to Bangor, etc., and swore out four warrants for me and several for other parties and then went to Milbridge and got a warden and seven men all told and started for Nicasotowis. I was at home watching the mail and the telegraph, expecting any moment to hear of the death of my daughter, when those men came. They told me that they had a warrant for me for violation of the game laws. I told them all right and I wished to see it. They would not, and took out handcuffs. I told them that such things were uncalled for, but they told me to have them on."

In the conversation on the subject, Mr. Darling said that he wished to go to the post office to get his mail, being anxious to hear from his daughter. He was forbidden to have his mail at all. He insisted upon it, and at last was permitted to go. The officer of course accompanying. Some men about the post office wished to remove the handcuffs, but he refused. He did, however, ask one of them to go up to the lake that day, which was done.

"They put them on," the letter continues, "and started me for Bangor with one man, and the rest went to the lake. When I got to Olamou I demanded the warrant to read it. I declined to go further until I read it." This of course was simple enough. Had he wished to do it, Darling could at any time have leaped from the open wagon, and the officer would have been unable to secure his prisoner again. At last the warrant was given him. "I read it. It was for killing four deer, and three of them was killed by them while with their guides." At Olamou they stopped for dinner. Mr. Darling requested to have the handcuffs removed while he ate. The officer would not do it. He refused to eat unless it was done, and for the third time that day the officer yielded. Before this, however, a well-known man, whose name was given me, not a resident of the place, offered to cut the link with a cold chisel. "But," writes Mr. Darling, "I wanted to let those men show themselves in full and I would not have them taken off, only when I ate dinner. I was taken to the jail in Bangor on Friday night and held until Monday, and then taken to Bucksport for trial, fined for killing four deer and keeping dogs in my possession, etc. I have forgotten the amount of the fine, costs, etc., but I appealed."

The confinement in the Bangor jail for two days was the worst part of the insult. Bail was offered by different men whom he named, and could have been had to any amount required; but it was refused. What possible excuse could there be for this? The charge was only a violation of the game laws; the fine at the most less than the amount of ready money which the officers knew Mr. Darling had in his possession; and unexceptional bail could have been obtained to any amount. The fact that the State was the prosecutor did not improve the situation. Instead of prosecution, some declared that this was persecution. Of the foul condition of the jail at that time, the insufficient food and the wretched quality of the same, and the exposure to contagious disease, Mr. Darling gave a full account, which has been fully confirmed by others, among them Mr. Robert Jordan, the secretary of the Bangor Y. M. C. A.

On Monday Mr. Darling was taken to Bucksport, in Hancock county, for trial before a trial justice. Why this particular man was chosen, whether he was there at the time or not, I cannot say, but he was not a trial justice. He had been one formerly, but had lost his commission by moving out of the county, from Bucksport to Bangor. There is no doubt of this, as it was to have been one of the fundamental points of cases to be brought against Darling in the Supreme Court. The quality of the justice rendered can be seen from the fines imposed for deer which Darling did not kill, but saw the officers themselves kill on Sunday, which being close time in this State, made them liable to the fine. The fines and the costs, I am told, were made to amount to over \$500. In addition, as has already been said, the warrants on which this was done were worthless. McNamara was not a warden, and no one but a warden has the right to prosecute in a game case until fourteen days after the offense; according to section 18 (not quoted in the *Book of the Game Laws*): "After fourteen days from the commission of any offense hereinbefore named any person may prosecute by action, complaint or indictment, unless such warden or deputy has prosecuted therefor." Yet, McNamara swore out his warrants within a week of the time that he first reached Nicasotowis.

At the Supreme Court at Ellsworth four complaints were brought against Darling, one for using dogs and three for killing deer. The latter were not McNamara's original cases but others substituted for them. None of these were tried, two being not proved and one quashed as defective. The dog case was tried and the verdict given in favor of the State. Now comes the much vexed question whether Darling was fined or not. He paid \$100, which is the sum set as the maximum fine for keeping or using dogs, but he paid no costs. The case was concluded on a Saturday, the other cases were to be brought up the next week. Whether they would have gone in favor of Darling or against him, whether he would have begun action against his accusers for grounds which were certainly good, cannot be told; for the judge and the counsel on both sides after conference agreed to settle this case and dismiss the others on payment of \$100 without costs. Mr. Darling rather reluctantly consented. He had two drives of legs which needed his attention, as this was in April,

and though he wished to bring the matter to a decisive issue the loss would be more than the satisfaction to be derived. Mr. Darling himself claims, and all those not personally hostile to him grant, there was a settlement, not a fine proper. "It may be entered on the docket at Ellsworth as a fine," said his counsel. "I do not know; but it satisfied all the cases and did not include costs."

No game case that we have had, on which so much depended, ever was so indistinct as this. It did nothing. It is even a little uncertain whether Darling actually was fined. He was found guilty of using dogs which no one denied, but the possible effect of even this was neutralized by the part which McNamara played. He was to appear before the April term of the Supreme Court as the principal witness against Darling; but at that time there was some little doubt as to the value of his testimony. In February, 1890, he was tried at Ellsworth on the charge of perjury. "In summing up the evidence he [Judge Redman] charged that McNamara was an unprincipled man working for money only, and unless he were punished the life and property of any citizen was in danger. Judge Clark held that there was probable cause and ordered the defendant to furnish bonds in the sum of \$800 for his appearance at the April term of the Supreme Court." But if he were convicted, Darling could not be; if he were acquitted, unless by the fullest proof, his testimony, whether true or untrue, would fail to affect the public at large. Without entering into the details, it is enough to say that by a disagreement of the jury McNamara was qualified to be sworn as witness in the Darling case.

We need not review the various points already given, which combine to make this case unique among those that are monumental for their injustices. The effect upon a people who love to see fair play does not need to be described; but more than anything else, what affected those who had any interest in game matters, was that the same might be tried at any time upon any one, whether innocent or guilty. It was not Jonathan Darling who was ill treated, but every man against whom there was ill will or from whom there could be any profit derived. Had it been a matter of interpretation, this would not have been so; the first case would be the last, and no one need fear; but this case was a precedent of the sort to be dreaded, a menace that the same might at any time be repeated.

FANNIE PEARSON HARDY.

OTTAWA, Kansas, June 12.—A farmer in the next county east of here was plowing in a field by the side of a brush patch, and becoming tired he sat down on a stump close to the brush to rest. In a few moments he saw a fox slip out of the brush and catch a mole close by, and it was soon followed by another fox, which tried to take the prey from its mate. Finding that quarreling over the prey was useless, the first fox, which was a female, ran off and disappeared in the brush. Watching carefully, the man saw where the fox went into the brush, and on going to the spot found her lair. He returned next day with some help and dug down to the nest which contained eight young. As foxes are rare in this part of the country he took them to town and disposed of them very easily.—F. B.

THE IDEAL MANUFACTURING CO. publish a very useful handbook of their numerous loading tools, among the new articles described being tools for loading rifle

cartridges, and adjustable moulds for patched bullets, a bullet sizer and a loading flask. The flask holds lbs. powder, and measures out the powder in any required number of grains from 3 to 135; it is also graduated in drams, from 1/2 dr. to 5 dr. The flask has many merits which must insure its general adoption and use. The handbook supplies a convenient table of dimensions of round and grooved bullets as made by the several manufacturers for different arms; and there are useful hints about loading and caring for firearms which every user of a gun or rifle will do well to read.

THE LEFEVER ARMS CO., of Syracuse, N. Y., are out with a handsome catalogue of their excellent guns. It gives full list and descriptions of all the styles of the Lefever guns, with many hints which will be valued by gun users. Here is a way to load buckshot: "First put in powder and wad as above, then procure shot of size wanted, being careful to see that they chamber a little loose in muzzle. Put in one layer of shot and fill cavities with light, fine substance, like bone dust or fine sawdust, and repeat till three layers are placed in shell. This prevents the shot from swedging or getting out of shape when leaving muzzle of gun and gives best results."

WHICH IS THE OLDEST NEW YORK CLUB?—Oswego, N. Y.—Some of the enthusiastic members of the Leatherstocking Club of this city claim theirs was the first club organized in this State for the protection of fish and game. This club was organized March 20, 1860, with these officers: Hon. David P. Brewster, President; Frederick T. Carrington, First Vice-President; John Stevenson, Second Vice-President; Dudley Forling, Secretary. Will you kindly ask members of game clubs of the State to forward to you the date of their organization, that it may be determined whether this claim of seniority is well founded?—OSWEGO.

A NEW HAMPSHIRE DEER CASE.—Berlin Falls, N. H., June 15.—Frank Lang, Jr., and Spurgeon Lockhart, of Milan, were arrested to-day, on complaint of Fish Commissioner Hodge, and brought before Judge Chamberlain. Both pleaded guilty to killing one deer last March. Fines and cost, \$65.—COOS.

J. F. IVES, formerly of Meriden, Conn., and well known to Connecticut shooters, has accepted a position with Mr. H. C. Squires, to take charge of his bicycle department.

NORTHAMPTON QUAIL.—If the writer who sent note on quail served out of season in Northampton will supply his name (not for print) the note will be published.

SUNDAY TRAIN TO MOMENCE.—The Chicago & Eastern Illinois Railroad placed in service June 14 a Sunday train between Chicago and Momence, leaving Chicago at 8:32 A. M., and returning leave Momence at 8:15 P. M., thus affording anglers a fine opportunity to spend a day on the Kankakee River.—*Arg.*

## Sea and River Fishing.

THE FULL TEXTS of the game fish laws of all the States, Territories and British Provinces are given in the *Book of the Game Laws*.

### THE TROUT'S APPEAL.

Don't visit the commonplace Winnepesaukee,  
Or the rivulet Onquimapesekas moquozi,  
Nor climb the summit of bare Moosilauke,  
And look eastward toward the clear Umbagog.

But come into Maine to the Wobokenbacook,  
Or to the sunny little river E-signalszook,  
Or still smaller stream of Chingussabunticook,  
Then visit me last on the great Anasagunticook.

—*Biographic News.*

### CASTALIA REVERIES.

Editor *Forest and Stream*:

I have not for a long time read so interesting a series of articles as those of Mr. Hough, describing the most remarkable trout preserve in the country, if not in the world. It reads like a reverie of an active and gifted mind. I had last season intended visiting this celebrated preserve with a view to the securing of unmistakable evidence of the success of one of my long-time pet ideas, of the preservation of this matchless game and food fish. Painful physical disability has thus far prevented the much desired visit. My only opportunity of viewing the celebrated stream has been from a train of cars. For nearly forty years I have heard of these waters in connection with trout, although Mr. Hough, for perhaps more properly some of the Castalia club members, appear to think I am mistaken. In 1854 I became intimately acquainted with Wm. J. May, at that time, I believe, city editor of the *Cleveland Herald*. Late one afternoon he came into my office and told me if I wished to see a nice lot of my pet fish to visit a certain drug store fronting the public square. I soon went to the store, and there saw in a tray-shaped dish mixed with broken ice, some fifteen or twenty (according to my present recollection) brook trout that would average lbs. each. Dr. Ackley, of the Cleveland Medical College, was present and showing them to visitors, he having caught part of them. I asked him where they were taken, and he replied that Dr. Garlick and himself caught them in Cold Stream, near Sandusky, and that they were in the habit of going there every season, and always with success. This incident is as vividly impressed on my memory now as if it occurred but yesterday, and with good reason, too, for these two gentlemen were at that very time engaged in the first successful effort in this country for the artificial propagation of fish (trout). And it was from that I received my first practical lessons in the fascinating pursuit which I have ever since endeavored to keep fairly abreast of. There is no possibility of my being mistaken in this matter of the Dr. Ackley episode.

And now I wish to say that Cold Stream and the Castalia Stream are one and the same. And I will further say, that I saw in Columbus last season some old men, interested in the lake fisheries (as I subsequently learned), and heard them say that there had been trout in that stream as far back as they could remember, and that it was no unusual thing to take them in nets off Sandusky.

I asked the member of the Legislature from that district what he could remember, and he replied that it was no unusual thing to take them in nets off Sandusky. I asked the member of the Legislature from that district about it, and he told me that he was born and brought up in that region, that there had been trout there from his earliest recollection, and that he had heard old people say they were always there. Mr. Hough raised a query as to my age. Well, I am on the shady side of sixty-five, and I was only a student in "fish-culture" when in Cleveland, I lived in Ashtabula county in my boyhood days for several years, some four miles from Lake Erie. On the farm where I lived there were two pronounced ridges, the lowest depression between being perhaps twenty feet below the highest ridge and nearly half a mile from it. In the edge of the mighty virgin forest then standing there a large spring of the purest soft cold water burst from the head of a shallow ravine, and passing along the depression nearly due west, received accessions from some smaller springs. The little stream thus formed contained some wide places of perhaps eight or ten feet, but in most places one could jump across it. It was shaded by bushes most of its length after it left the forest, and it emptied into Ashtabula Creek not more than a mile from its source. This little stream contained brook trout when I lived there fifty-five years ago. On a farm adjoining this there lived at that time an old man named Hill, the most remarkable hunter and fisherman in all the region and a pioneer settler there. He sat by our fireside many a long winter evening and told of his hunting and fishing triumphs in the region about. I heard him say that many of the small streams contained trout, but that the clearing of the land was also clearing the streams of trout; so it seems that fifty or more years ago, these matchless students of nature, the old wood-men, understood the most prolific cause of depletion of trout streams. What was true then is true now, and to an increased extent, for the streams are not only raised in temperature to an extent fatal to trout, but they are also polluted in a multitude of ways too numerous to mention here.

How can we restore them? By restoring the streams to their primitive condition, and in no other manner. This is the gospel that I have been preaching for fully fifteen years past and I have, in consequence, been denominated a crank on that subject. I still endure, however, and have lived to see my oft-stated plans practically carried out and with phenomenal success. Of course, there are not many such locations, with accompanying conditions existing in this country as Castalia, but there are numerous locations which approximate thereto and many of them will some time be occupied by angling associations. I have in several instances been consulted by parties who wished to organize movements of this kind and I think Mr. Hough's valuable articles will be likely to awaken an interest in this entirely practicable matter of establishing trout preserves in accordance with nature's matchless methods in many parts of the country, now almost entirely depleted of trout and where hundreds of thousands of dollars have been totally wasted by fish commission methods. And I wish to again repeat here, that artificial hatching, with all the attending trouble and expense, is entirely unnecessary.

I am writing this with physical discomfort, between intervals of couch-rest. In conclusion, I wish to say, that



IN MEXICO.

OUR correspondent has been hunting in company with Mrs. Aztec, and thus discourse of it to his brother in "the States":

We started, J. and I, on a midnight train the night of May 25. We got to our station at daylight, and found the hacienda coach in waiting for us. We had a lovely ride of nearly ten miles in the dewy morning, and were cordially received by the young host. From then till Saturday the place belonged to us. The weather was too warm to save game any length of time, so we did not exert ourselves much in hunting. Besides the boss clerk was absent, and Don Luis had all the business to attend to, and so could not get out very often. On Wednesday he and I took a turkey hunt. He had a place baited in a cedar brake about twelve miles from the house, and we got up early and struck out, reaching the ground about half after seven. The turkeys were gobbling all around, but we sat down in the blinds and waited for them. Don Luis got an old gobbler about nine o'clock, and as we came back from our lunch where the horses were tied, at noon, there was a fine old fellow just showing up at my place, but he saw us too far and got away. About the middle of the afternoon two hens made their appearance at my corn pile. I made up my mind to get them both, but was so well hid that I did not have good use of myself. Don Luis is in the habit of shooting with a rifle, and had put me in a blind all shut in by trees. At my first movement one of them said *put* and I jumped up. As they started to run I rolled one over with the first barrel, and just as quick as I knew how, took a bead on the other as she rose to fly. But I didn't have elbow room enough and banged the whole load into a tree just as she went behind it. She flew up to Don Luis's stand and he clipped her under the throat with his rifle, but she managed to get into the thicket. The woods were full of them, but the day before the man had left so much corn that they were not hungry.

The next day we rode around in the coach, saw sights, and in the evening had a lot of fun shooting doves near an old barn. Friday I decided I would try for a deer, as I thought I could get it home the next day. Don Luis was very busy, so I got up early and struck out with one of the men. We went about three miles from the house, and had a fine little still-hunt on the side of a mountain. It was pretty brushy and rocky, so a fellow had to be extra careful. I found fresh signs of two deer up on the mountainside and commenced to sneak around for I couldn't tell which way they had gone. They either saw or heard me, and slipped off down the hill about a hundred yards. Pretty soon I stepped out into an open place and they began to snort and jump over the bushes. The sun was about half an hour high and they were between me and below it. When they moved in the chaparral I could see them, but as soon as they stopped I could not make them out. The ground between us was perfectly open, so that there was no chance to creep up. So I lost them. They were not wild, and under the same circumstances ordinarily I should have been sure to get one of them. It was a mere accident that I did not see them sooner.

In the afternoon we went in the coach to a cane field where Don Luis had seen them come out often to feed on the cane. The sun was still two hours high, but when we reached the place there were three already out and saw us. We tried to get on them, but they were suspicious of the coach which had stopped in view, and hid in the

of the coach which had stopped in view, and besides, a plow-boy over in a neighboring field began to whistle at them. So we had to take a hurried shot at long range, not knowing the distance. Neither of us scored. Following them into the bushes we found them again, but got no shot, and Don Luis found a big buck which he could easily have killed but thought it was a donkey. Even a veteran hunter will get fooled sometimes.

Next day was our last and we were bound to have some meat to bring home to save our reputation. So we went for the turkeys again. I had found a caller, and told Don Luis that if they gobbled around so much again I was going to try my hand at calling one up. J. went along and stayed in the blind with me. I had loaded her little 20-gauge with No. 2 shot, and was sure that she would get her turkey if one came out. But Don Luis had all the luck. Nothing showed itself at our blind, and I didn't even hear one gobble. But at different times during the day three old fellows came to his stand and paid the penalty of their rashness. He has a fine 32-40 Ballard that is sure death to anything that comes in range.

From the woods we went to the station and found that we had to wait all night for the train. The boss of the ranch gave us a bed, and we got along finely. Our only mishap was that it was eight o'clock Sunday morning before we got home.

SIX YEARS UNDER MAINE GAME LAWS.

N.—THE ONE BEFORE THE LAST.

THE time has come to close this series of papers. Unforeseen circumstances have delayed their preparation, and other causes equally unforeseen have altered their original plan, so that they are widely different from the first design. It is therefore impossible to draw conclusions or to sum up in any orderly fashion what has been said. But there are a few additional points to be touched upon and some probable consequences—which may be a better ordering of affairs avert!—that need to be set forth; and just a word may be said of what was intended but was not accomplished.

In the beginning a state of feeling was described in which a bitter and unreasoning resentment must have seemed predominant. It was planned to account for this, to show how it arose and why, and what were the principal local modifications of it with their local causes. The plan has been carried out only in part. What was said of the waste of game and non-transportation in open season applied with varying force to all the counties and has been influential in all to produce the present state of dissatisfaction. But what has been said of deer hounding and killing dogs pertains only to the southeastern counties of the State. Nothing has been said of Piscataquis and its interests, nor of Aroostook and Aroostook affairs, although the plan was to illustrate and explain the causes which had operated in these to produce a feeling substantially the same but differing in its degree. A change made last March in the law permitting the destruction of dogs, bringing new and unexpected dangers close upon us, as it was feared, caused the abandonment of the original design and a fuller treatment of topics relating to deer hounding than was at first intended or deemed

desirable, while in consequence the other sections had to be slighted.

I have said that it was not the intention to speak of deer hounding at such length. There were other topics equally interesting which did not have the peculiar disadvantages of this, namely, that whoever would speak of abuses connected with its suppression must consent to be accused of favoring the practice. Now, the practice cannot be defended in this State. As a method deer hounding may be the best or the worst, the most humane or the most cruel way of getting a deer—that is a matter of opinion; as a practice it is illegal and should be stopped. Yet it is of supreme importance that the means of suppression shall be such that those who wish to see the law enforced can honestly defend the means taken to enforce it. Who could do this of the poisoning and dog killing of years past? The extraordinary abuses connected with these methods of procedure have put them into such disrepute that neither of them can ever gain any measure of popular support. Yet this spring the law has been changed so that the killing of dogs is encouraged by the new license granted, even if it is not intended, as has been feared, to make it an official feature of the campaign this fall. Nothing could be more fatal than this. These practices may be legalized, but such is the odium attaching that they will injure the cause in which they are employed. The reaction against the last attempts has been very strong. Nearly, if not quite twice as much deer hounding was carried on last fall on Penobscot and Union River waters as ever before. Deer were dogged more or less regularly on some thirty ponds and lakes which I could name, and at Chemo Lake, only about fifteen miles from Bangor, they were run all the fall. Hounds used to run deer are openly kept in Bangor and vicinity. Men go from Bangor and surrounding towns to places where deer are dogged, the papers tell where they have gone, and what they bring back, and the deer, shot in the back of the head, are openly exhibited. There is no secret made of it. What is more, men who a few years ago strongly disapproved the practice, now favor it more or less openly. Whoever would stop hounding must overcome an opposition which did not exist a few years ago, and this can be done only by the use of fair and legal methods. Fine the men who engage in it, but give us no more Darling cases and no more dog killing. To repeat the proceedings of the few years past would give us not only more murders, but would be the speediest way of creating a general demand from this section to have a law permitting hounding.

It was planned, among other things, to speak at some length of the illegal sale of fish and game, of the number of prosecutions brought and fines collected, of certain cases tried and minor untenable interpretations of the laws, of the character and efficiency of the wardens now in the service; and facts were collected for this purpose, which the change of plan already spoken of has made it necessary to set aside.

However, that the case may not seem to go by default, we will have a word upon some of these points.

Game and fish have been illegally sold this winter, and not by any means in lone and sequestered spots. It has been done in our largest cities and in the markets, so openly that strangers have commented on it. Not to speak of what has been done nearer home, in Augusta game and fish both were sold contrary to law; and at the same time and fish both were sold contrary to law; and at the very time that new trout laws were under discussion, to be openly sold in the city and were served under the name of trout on the table of the hotel where many of the senators and representatives boarded. Complaint was made but no prosecutions followed. Without discussing where these fish were taken, it was directly contrary to law to sell them, and yet while the sale was permitted in Augusta, in the eastern part of the State Pete Newell, an Indian, poor undoubtedly, ignorant very likely, was fined for selling trout.

Regarding the collection of fines and their disposition, little can be said in little space. But the aggregate of fines paid in to the treasuries is not what might be expected. In Penobscot it is too small to make any account of. From Jan. 1 to the middle of April of this year only \$40 was paid in from nearly ninety towns and townships which are included in this county. The sum for any year is very small. This would not be a disadvantage if the violations of the law were few, but they are numerous and open. Some cases come up in the higher courts of Penobscot, but very few appear in the lower courts of Bangor. The clerk of the municipal court who has been in the office many years could show me papers pertaining to only two cases, which he said were all that he distinctly remembered. One was the voluntary complaint against himself of a gentleman who killed a moose last September; the other a case against a man for netting fish last October, ending in an appeal. Some cases come before trial justices outside the city. There are a few justices in this and other counties to whom game cases are frequently carried, or who are carried to the cases, whence the nickname of "pocket justices" sometimes applied to them; and there is some particularly edifying history connected with the cases which come up before these men. The aggregate of game cases in eastern Maine for the past few years has been small when we except the seizures illegally made under the transportation fiasco and what has been done on the sea-shore.

Concerning wardens, we will say as little as possible. It is not fair to speak disparagingly of a whole class without bringing forward the proofs. Yet it is true that after much inquiry I have found many poor wardens and only two that could be called good ones. Good men there may be, undoubtedly are, among the hundred and fifty who are employed as wardens, but unless they live in the western part of the State or upon the sea-shore, they must be scarce. The majority of the more prominent wardens of eastern Maine are not only bad wardens but bad men. There is full proof of their unfitness for the place. I was intending to bring forward enough to show the kind of men into whose hands the execution of our game laws has fallen, but it would take too long to do the subject justice, and we may leave it with Charley Uter's benediction, "May the Lord think well of you"—and its logical inference.

It is of more importance just now to know that some of these men have been reappointed not once, but sometimes more than once, in spite of repeated protest. We have been told that nobody was responsible for this. The change of the law this year which requires the approval of two of the Commissioners before a warden will be given an appointment, is a great improvement. It makes

the Commissioners personally responsible for the character of the men employed, and the improvement of the service by the substitution of better men for some of those now in the service may be expected. We have been told that heretofore men had been selected for their strength and ability to shoot quickly. The authority for the statement was high, yet this may not be the real ground of selection. At any rate these would be merely imaginary advantages for an active warden. Strength may make an arrest, but it will not take a man out of the woods, and the ability to shoot quickly is merely a negative advantage, since an officer cannot use his arms except as a last resort. Plain, old-fashioned honesty is the best qualification a warden can have, and with it a man can go safely, when without it he would run considerable risk. The second best recommendation to the position should be a thorough knowledge of woodcraft and the ability to go alone through the woods instead of along highways and frequented routes.

One change in the laws this year requires some attention. Henceforth wardens may make arrests without the use of a warrant. This will be a great advantage in securing the arrest of offenders, but visitors and residents alike will need to be on their guard against those who pretend to be wardens and extort fines on false pretenses. In years past this has been done more or less frequently. I know of three cases, one of them occurring this winter, where the attempt has been made by men who were not wardens, and I have been told on good authority of another where a fine was paid only this winter to a man who was not a warden, for fishing pickerel, which it is legal to fish at any season. It is well for every one to carry a copy of the latest issue of the game laws, so that he can determine for himself just what the law is and whether he is guilty. There are many points where by mistake or evil intention a person not perfectly sure of his rights can be intimidated and made to pay blackmail by those who are not officials and have no right to interfere. How many who come here know that Sunday is close time on game but not on fish; or that until this spring deer could be legally shipped from the State provided the legal number was not exceeded, while partridges could not be; or half a dozen other points on which a case could be made or lost? The wise man, if detected in an offense against the laws, will, if possible, stand trial. He never will pay anything to settle a case, nor pay a fine to any one without taking a receipt for it. If in any case he should pay a fine to any one whom he does not know personally, he will at the expiration of two months write to the county treasurer of the county in which it was paid, to find whether it has been paid to the county, that being the limit of time which any justice or receiver of fines can keep them without incurring heavy fines. These are suggestions merely, but they are made to the wise. Never pay anything to any one who may not be an official. Never pay without taking a receipt in full. Never fail to see whether that money was paid into the treasury at the proper time unless there is no room for doubt.

The next paper, which will be the final one, will take up some of the more general evils which will follow if something is not done to improve the present conditions here. They are too serious to be neglected and should receive thoughtful consideration of both residents and visitors who are interested in the welfare of this State.

FANNIE PEARSON HARDY.

CHICAGO AND THE WEST.

CHICAGO.—A recent incident will show still further the necessity for some adequate protection of the game birds along the Kankakee River. The incident is the more deplorable in that the culpable party is a member of one of our regular shooting clubs. I say, he is a member, but "was a member" would probably be more correct, for by this time he has probably been expelled from the club or will be soon. The man's name is Roth, and he belonged to the Diana Club. Lately he killed 5 young prairie chickens, not bigger than one's fist, and put them on the ice at the Diana Club House, where they were seen. Mr. Henry Ehlers, a very worthy sportsman of the Diana Club, and others of our sportsmen here, instituted a legal investigation, though attorney Low told them no case would hold, they being citizens of Illinois, while the killing was done in Indiana. The matter was not allowed to rest here, however, Messrs. Henry Ehlers and John Press, the latter president of the Diana Club, have gone down to the grounds in Indiana to see if they cannot get evidence good enough for a conviction even under the absurd Indiana law. In any event, Roth will be promptly jumped from the club, and ought to be debarred from the company of gentlemen sportsmen. It is getting too late in the nineteenth century to do such things as that and still claim to be either a sportsman, a gentleman, or even a half-decent sort of half-way citizen.

A new club organizes to night, and will next week be named and added to the galaxy of Chicago's bright particular stars. It will consist of 20 members, membership fee \$10, and will be devoted to trap-shooting solely. It will hold 12 shoots annually, and at each shoot a prize of \$25 will be shot for, and the contest settled then and there. Club medals, annual championships and all that will be abolished under this innovation, whose result is awaited with some interest. Name and members cannot be divulged now, but the latter are from our best, and the new club will be a good one. E. HOUGH.

CARIBOU IN THE NORTHWEST.—New York, July 9.—Editor Forest and Stream: In regard to caribou in the far West, I can say that in 1887 we found caribou in considerable numbers in northern Idaho, at the headwaters of Kanasku Lake and the Kootnai River. Eight were killed by our party.—WAKEMAN HOLBERTON.

A BOOK ABOUT INDIANS.—THE FOREST AND STREAM will mail free on application a descriptive circular of Mr. Grinnell's book, "Pawnee Hero Stories and Folk-tales," giving a table of contents and specimen illustrations from the volume.—A. C.

have charge of the cases and should bring them at once if his time will permit. Each offender should be pushed and convicted for every individual illegal bird known to have been served. In view of Mr. Kern's connection with sportsmen's matters, the state of affairs at his restaurant is most unfortunate. He is reported to have learned that his steward bought only six birds, Mr. Kern being ignorant of their purchase. The first bird in evidence there was eaten on Tuesday, the last on Friday. He would not seem to have had a very strong trade in them upon that basis.

E. HOUGH.

## SIX YEARS UNDER MAINE GAME LAWS.

XI.—IN CONCLUSION.

A CAREFUL observer may soon satisfy himself that the prospects for fish and game in Maine are not growing better. The fishing in some of the best places is deteriorating, and the game, though still abundant, has been mercilessly slaughtered, while the season for killing it grows yearly longer. This year the work began the first of June; and next year we expect it to open in May. The summer killing is increasing continually, and the number of sportsmen grows larger every year. It is impossible for the natural increase of the fish and game to keep pace with the demand. What then? What happens when there is not enough for all?

At the same time it is undeniable that no effort has been made to stop the summer killing; that the game laws have been very ill-enforced at the best and that outrageous injustices have been committed in their name—the laws having been executed as they have been, what then! What happens when the lowest ebb has been reached?

After the ebb, the flood; the highest tides follow the lowest. In the nature of things, there will be a reaction which will give not only a stricter enforcement of the laws we have—we want that, the sooner the better—but if the delay is long, a change of laws with heavier penalties, increasing in proportion as the reform is deferred. The longer the inaction the greater the reaction. On the other hand, when there ceases to be game enough for all, the effort will be made to secure it for the few. The non-execution of the law diminishes the amount of game and hastens the day of game preserves; the establishment of the latter tends to increase the penalties and severities of the law; the very neglect of the laws at present inclines to the same end.

Great evils may hang upon the adjustment of these points. We fear them. We know that there has been a call for the increase of penalties and that there is a constant pressure to secure the establishment of game preserves. For the former, read our Game Commissioners' reports for the past few years—the last, however, is a commendable exception—and see how strongly they have urged to add imprisonment to *all* game-law penalties; for the latter, follow the quiet but active endeavors to secure possession of land that is now open to the public. It is something not chronicled in the newspapers, but it is here.

Of course there is no immediate prospect that any considerable portion of Maine will be closed to the public. It is still what may be called a far-off danger; but our lumbermen and landowners could tell of a very decided trend in that direction. Nor does it by any means need that a *very* considerable portion should be so held in order to accomplish what seems now to be a great evil. Closing half a dozen well-located townships and making it trespass to camp or hunt upon them could be made a very great annoyance. There are a few townships which, for ease of approach, excellence of hunting and fishing grounds and beauty of scenery and camping places, are worth to the sportsman forty times as much as others somewhere else. Who wouldn't prefer the snug chance we all know of, which is open to us now whenever we choose to go, to—well, to a dozen townships around Baker Lake at the end of the nine-mile carry?

We do not speak with any hostility to any one who prefers not to have the whole world use his land as an excursion ground. It is his own and he has a right to do with it what he pleases. But the principle of a game preserve is different. It is closing the land to inclose game and fish which were not bought, which are not property and to which there is no title. (Stocked ponds and preserves are not meant.) It is using a right to compass a wrong. Now this is very hateful to the mind of the average Maine man. To tell the truth our lumbermen and landowners have a little (or a good deal) spoiled us by their generosity; and, quite aside from the question of game as property, the invariable custom of leaving all land open to the public has led us to regard it as a right. I well remember my own rebellion when I first went into a country where blueberries were private property and trout streams were posted. There is a strong objection

here to closing land because the custom of sharing all the minor products is so nearly universal.

But it may be said that closing the land is not necessary; that some of the best preserves require scarcely more than respect for the State game laws. These favors are appreciated, and yet so captious is the public at present that even this would fail to disarm suspicion on Penobscot. "The whole thing was free to them before, without costing. They didn't need only enough for their shanty. When they get good and ready they mean to shut down on us." The presence of private wardens to enforce State laws would be taken as an affront. Indeed to show the feeling, the private rewards offered last winter by non-residents, whatever might have been their effect in the western part of the State, were bitterly resented here as unwarrantable interference.

The amount of it is that our landowners and lumbermen are wholly trusted. They are the most popular class of employers in the State. They wear the homespun in speech and manners and have immense personal popularity. Some of them merely on the strength of this popularity could muster a regiment to work for them or to fight for them. The land they own cannot be transferred in any quantities from their hands to strangers, without creating the feeling that it has gone from the control of friends to that of aliens, who may be never so worthy but are not the same. It is like seeing the old homestead change hands.

"Home was home then, my dear, full of kindly faces;  
Home was home then, my dear, happy for the child."

That is the feeling we have; and no game preserve can be purchased here for some years at least without buying with it also a sub-acute hostility—home no longer being home, happy for the child.

Nor is this the sole cause of prejudice. The owner of a preserve may be the pattern of all moral excellence, but to those used to different customs he seems a dog in the manger, guarding what he cannot use and thinking to growl away those who have at least as good a right there as he. This antagonizes the woodsman at two points. He will not take a dare and he hates selfishness. A body of gamekeepers signifies defiance: the effort to hold wild game on wild land is (to him) a meanness almost incomprehensible. Now the punishment of some sins is reserved for God alone, but (according to the Maine dictum) stinginess may be punished by God and the neighbors. There is not the slightest doubt that the establishment of preserves, or even the purchasing of land for them at the present time, would result in burning the country.

How to express the certainty of this I do not know, nor that stern approval which it would meet from a large following; but I know only too well the kind of resolution which blows up the magazine and garrison (not always by their leave) to avoid surrender to the enemy. If any one doubts the outcome of preserves here let him ask the larger lumbermen and landowners and the best guides. What a hundred years will bring forth none can tell; whether ten years will produce a change of feeling these men would know better than I, but I incline to think that ten years will not do it. Changes occur slowly here, and as I showed in the beginning, the love of freedom so outweighs the love of money with woodsmen that it seems not improbable that the opposition to preserves will strengthen as the demand for

We need not dwell upon the value of the lumbering interests to Maine, especially to the working classes who find employment by the thousand in the lumber camps, on the drives, in sawmills, in pulp mills, loading vessels and making them. Except farming no one occupation employs so many men as lumbering and its dependent trades. The people are dependent upon it, and those who try to teach us that the game and fish are worth more than all the lumber get laughed at for their pains. Then, again, the water powers are directly dependent upon the forests. This is especially true of the Penobscot, which rises in swamps and bays and little streamlets. Destroy the forests and the water powers are gone. And after the forests are gone come the floods and freshets. It is imperative that the forests should be saved from fire.

But could game preserves do this damage? Probably not. The opportunity will not be given. The chances are that the first preserve on Penobscot waters will be burned at once—there is an old saw about fighting fire with fire—and heavier conflagrations saved in later years when the system should gather force. For it would tend to heavier penalties; they would produce crime and the fires would follow. If the means of prevention cannot be commended, it must be admitted that is one of the ways in which the many instinctively protect themselves when their well being is imperilled for the pleasure of the few.

The second danger is to fish and game. I said that last summer's waste was responsible for last winter's killing. This was the beginning of retaliatory measures which will be kept up. "It isn't fair that they should have and waste what we can't have to eat," is the complaint. The fate of the game in this State depends very largely upon the good will of the rural classes. Sportsmen may be able, as has been boasted, to pass any reasonable laws here, but the veto power lies with the people, and unacceptable game laws will be destructive to the game. This is something worth remembering. People will not stand to-day what they would a few years ago, and suspicion which was formerly quiescent is now fully alert. The question is considered not one of game and who shall have it, but one of rights. The determination is to insist on fair play, to refuse to sell a birthright for any amount of pottage. Hence, any law that, for instance, cuts off December from the open season to open September is regarded with extreme disfavor. There is little likelihood that we shall have game dinners of the same order as the Boston ten party, for people are opposed to waste; but any attempt to introduce hunting licenses, for example, or leases of lands and waters, or to favor sportsmen more than residents would destroy the major part of the game in a very few years. There is, indeed, little danger of this being done with game, but at any time pickerel may be put into trout waters. The sporting papers have had a great deal to say about the destructiveness of winter trout fishing, but they do not know that this is all that secures any trout fishing. The people here will have some kind of winter fishing, and if isn't trout it shall be pickerel. It is true that there is a strict law against the introduction of pickerel, but there is absolutely no means of enforcing it. I suppose that it is generally known that a pickerel may be frozen stiff, kept so for days and after-

ward resuscitated. The experiment is simple enough, for it only needs that the fish should be caught on a very cold day, frozen immediately and packed in snow, afterward thawed slowly in cold water. Any one who tries it, as I have done, will be satisfied that pickerel could be transported in this way anywhere and that no law could be framed to prevent their introduction into the best trout waters. This is an absolute check to all attempts to take away the winter trout fishing. Had it been my purpose to deal with fish laws I could have made it plain that once already this danger was pressing and was avoided by the "one line for citizens" law, which no one ever kept. The change this winter permitting five set lines (this is practically an unlimited number, the real limit to the fishing being the law forbidding transportation of above a certain amount of fish)—this change was a wise and pacific measure, which removes to some extent the danger to trout waters.

We come at length to the question of adding imprisonment to penalties. May the day of it long be averted! I know that some of our people, seeing the inequality of the money penalty, have advised it, but without due forethought. Of all bad things that can happen to us through the wretched possession of a little game, this would be the worst. "It would fill these woods full of outlaws," said one guide in gloomy anticipation. To add imprisonment to all our game-law penalties, as our Commissioners have urged, as others will be sure to urge in coming time, would be to put a premium on crime.

In the first place, the majority of all our game-law violations are committed by people called "sportsmen." This is a safe estimate for game-law violators; the guides will put it higher. Now, none of these men, if they have any ready money, need ever suffer imprisonment unless their sense of honor be fantastically nice. To give an extreme instance, let us suppose that the recommendation of the Commissioners' Report in 1886 had actually become law, and that "a penalty of \$500 and six months' imprisonment [was] the mildest punishment for killing a cow moose at any season." This would not save the cow moose. They would still be killed unintentionally, for half the time at least it is impossible to tell the sex of the animal shot before the chance is gone; and they would be killed intentionally also to spite the law. But with such a law, unworthy officers and justices would procure appointments and connive together (as has actually been done) to make the most they could out of offenses, real or trumped up. Certain justices would have the majority of the cases and have their price. But, supposing the case a good one, who would not pay \$500, or even twice that, if a busy man, in order to escape six months in the county jail? As a matter of fact it would not cost so much. Rather than have the case appealed they would come down some on their prices. The poor man, who would be some farmer, trapper or hunter, and who could not pay their price, must appeal. Now, in the higher courts both men would stand alike, or, indeed, the poor man would have the better chance; for a jury would not convict on any such case if there was any possible escape. But, as a matter of fact, not very many cases would go up to superior courts. Both would take their chances of being found out; the wealthier man would know his grounds and perhaps make it all right beforehand, while the poorer man if caught in the act would settle it on the spot or as soon thereafter as possible. That law, had it been made

law, would have put a premium on crime. The suggestion was well intended, but it was not wise. It is to the credit of the Commissioners' judgment that they ceased to urge this, and have of late not proposed the addition of imprisonment. But the suggestion has been made and it cannot be forgotten. We fear that it would almost inevitably follow the establishment of an extensive system of private preserves. "It would be like it is in England," writes one hunter.

No better illustration of the iniquities of preserving the pleasure of the few by arbitrary enactments against the rights of the many can be given than in quoting what Hugh Miller, the Scotch geologist, wrote nearly fifty years ago concerning the English system and its results. The extract is from his "Crime Making Laws," in Essays Political and Social; but others of his papers are equally profitable and equally apt. There is in these papers the weight of righteousness nobly indignant and the weight of experience which overbears all theories and theoretical objections:

"If there was a special law enacted against all red-haired men and all men six foot high, red-haired men and men six foot high would in a short time become exceedingly dangerous characters. In order to render them greatly worse than their neighbors, there would be nothing more necessary than simply to set them beyond the pale of the constitution by providing by statute that whoever lodged informations against red-haired men or men six feet high should be handsomely rewarded, and that the culprits themselves should be lodged in prison and kept at hard labor on every conviction from a fortnight to sixty days. The country would at length come to groan under the intolerable burden of its red-haired men and its men six feet high. There would be frequent paragraphs in our columns and elsewhere to the effect that some three or four respectable white-haired gentlemen, varying in height from five feet nothing to five feet five, had been grievously maltreated in laudably attempting to apprehend some formidable felon, habit and repute six feet high; or to the effect that Constable D., of the third division, had been barbarously murdered by a red-haired ruffian. Philosophers would come to discover that so deeply implanted was the bias to outrage and wrong in red-haired nature that it held by the scoundrels even after their heads had become bald and their whiskers gray; and so inherent was ruffianism to six-foot-high men that though four six feet fellows had for the sake of example, been cut short at the knees, they had remained, notwithstanding the mutilation, as incorrigible ruffians as ever. From time to time there would be some terrible tragedy enacted by some tremendous incarnation of illegality and evil, who was both red-haired and six feet high to boot."

With exquisite humor, Miller traces the gradual abolition of the enactments. He also draws a vivid picture of the former prevalence of highway robbery and murder in England. He continues:

"And so highway murder has become one of the almost the rarest offenses in the criminal register of the country. Very different is the case, however, with murders of another kind. \* \* \* Within the last few years there have been no fewer than twenty-five game keepers mur-

dered in England. The cases were all ascertained cases; coroners' juries sat upon the bodies, and verdicts of wilful murder were returned against certain parties, known or unknown; and these were, of course, but the murders on the one side. \* \* \*

"Be it remembered, too, that the peculiar barbarism of the modern period is greatly more a national reproach than that of the ancient. The old enormities were enormities in spite of a good law; the newer enormities are enormities that arise directly out of a bad one. There is sound sense as well as good feeling in the remark of Mrs. Saddletree on the law, in Effie Dean's case, as laid down by her learned husband the saddler. 'The crime,' remarked the wisacre to his better half, 'is rather a favorite of the law, this species of murder being one of its own creating.' 'Then, if the law makes murders,' replied the matron, 'the law should be hanged for them; or if they would hang up a lawyer instead, the country would find nae fault.' All the twenty-five ascertained murders to which we have referred, and the at least equally great number of concealed ones, were crimes of the law's making, murders which as certainly originated in the law, and which, if the law did not exist, would as certainly not have been, as the supposed crimes of our illustration under the anti-red-hair, anti six-foot-high statutes. No murders arise out of the killing of seals and sea gulls; why should any murders arise out of the killing of hares and pheasants? Simply because there is a pabulum of law in the one case, out of which the transgression springs, and no producing pabulum of law in the other. There can be nothing more perilous to the morals of the people than stringent laws—that is, instead of attaching their penalties to actual crime, and having, in consequence, like the laws against the housebreaker and the highwayman, the whole weight of the popular conscience on their side, create the crime which they punish, and have thus the moral sense of the country certainly not for, mayhap against them. They become invariably in all such cases a sort of machinery for converting useful subjects and honest men into rogues and public pests. Lacking the moral sanction, their penalties are neither more nor less than a certain amount of peril, which bold spirits do not hesitate to encounter, just as a keen sportsman does not hesitate to encounter the modicum of risk which he runs from the gun that he carries. \* \* \* And such is the principle, when the law, equally dissociated from the promptings of the moral sense, is not a law of accident, but of the statute book. Men brave the danger of the penalty, as they do the peril of the fowling piece. But there is this ultimate difference, without being in any degree a felon by his own conscience, the traverser of the statutory enactment becomes legally a felon; he may be dealt with, like the red-haired or six-foot-high felon of our illustration, as decidedly criminal. \* \* \* Few of our readers can have any adequate conception of the immense mass of criminality created yearly in the empire by this singularly deteriorating process. In the year 1833 there were in England and Wales alone no fewer than 4,529 convictions under the game laws. Forty of that number were deemed cases of so serious a nature that the culprits were transported. In all the other cases they were either fined or imprisoned; the fines taken in the aggregate averaging two pounds sterling, the imprisonments seven weeks. And it is out of this system of formidable penalties that the numerous murders have arisen; and that the game laws of the country have, like

those of Draco, come to be written in blood."

The future of the game and fish of Maine, the pleasure of sportsmen, the property of residents, the safety of some, the morals of many, are jeopardized by the feeble and unequal enforcement of the game laws of which we have been conscious for three years, which has in reality existed much longer. We need a prompt reform in the equitable enforcement of those laws (which are good) by competent and incorruptible officers. We need efforts to prevent infractions of the law as well as to punish them. We need the cooperation of residents and sportsmen. To secure this on the part of the rural population, the movement toward reform must be begun in the summer months—in July instead of January; otherwise they will not believe in its honesty; we have always had something done in the winter, because "it costs less." When they can feel confidence in the officials and their justice, the inhabitants will take an interest and a pride in their work, and local matters will right themselves, and the better class of sportsmen by extending their influence, as they can do, will accomplish more than we can to restrain and discountenance the misdoings of those who have brought disgrace upon the name.

FANNIE PEARSON HARDY.

#### THE NEW YORK WOODCOCK SEASON.

THE woodcock season in New York State will not open until Sept. 1. From the *Book of the Game Laws* we quote the full text of Secs. 9 and 10, Chap. 534, Laws 1879, as amended. Sec. 10 originally had no reference to woodcock, but when it was amended last year the word "woodcock" was surreptitiously interjected into the bill, presumably by some one more solicitous to do away with August woodcock shooting than to secure its abolition if at all by fair means. Here is the law:

WOODCOCK, SQUIRREL.—Sec. 9 [as amended by Chap. 289, Laws 1884].—No person shall kill or expose for sale, or have in his or her possession after the same has been killed, any woodcock, between the first day of January and the first day of September, in the counties of Oneida and Delaware, and in other parts of the State, between the first day of January and the first day of August in each year, except as hereinafter provided. It shall not be lawful for any person to kill or expose for sale, or to have in his or her possession after the same has been killed, any black or gray squirrel, between the first day of February and the first day of August in each year. Any person violating either of the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of twenty-five dollars for each bird or animal so killed or had in possession. [See Sec. 10.]

RUFFED GROUSE, PARTRIDGE, PINNATED GROUSE, PRairie CHICKEN, WOODCOCK.—Sec. 10 [as amended by Chap. 534, Laws 1879].—No person shall kill, or expose for sale, or have in his or her possession, after the same has been killed, any ruffed grouse, commonly called partridge, or pinnated grouse, commonly called prairie chicken, or woodcock, between the first day of January and the first day of September, except as hereinafter provided. No person, carrier, corporation, association or company shall, at any time, carry or transport or have in his or its possession for the purpose of transportation, any ruffed grouse, commonly called partridge, or pinnated grouse, commonly called prairie chicken, or woodcock, caught or killed in that portion of this State constituting the forest preserve, [?] and any person, carrier, corporation, association or company, which has in his or its possession any ruffed grouse, commonly called partridge, or pinnated grouse, commonly called prairie chicken, or woodcock, caught or killed in the counties included in the forest preserve, shall be deemed to have them in his or its possession in violation of this section; provided, however, that they may transport from the forest preserve or have in possession for the purpose of transportation the

SIX YEARS UNDER MAINE GAME LAWS.

FORE-WORD.

To the Gentlemen who visit the Maine Woods:

When Capt. Drew, the genial "Kennebecker" of the Boston Journal, wrote up his cruise to Australia, in order to get as long a start as possible, he went back to his trip to Trout Brook on the Passadumkeag; and so in writing on game matters I have begun by telling of the region round Nicatowis because that is supposed to be as far away as anything can be from a wholesome love of what is lawful. That I have not told you what you expected to hear from that place, may have caused some speculation, and what I shall say will perhaps cause more; but whether you agree or not, hear me out. It is not an easy story to tell, and it is impossible for any one person to present all sides. I speak for the side which never has been told and for the people who cannot speak for themselves. If I make mistakes or misrepresentations, the road is open for both their criticism and yours. I would request, however, in advance, that critics sign their own names and place of residence, since otherwise discussion will not greatly help the matter which needs mending.

I ask your patience. What I have to say cannot be said so that all will take it kindly, and I must seem at times to speak bitterly, for I speak the thoughts of my people. Nevertheless, I have been at some pains to put these things as mildly as possible. I have written all the sketches previously published that you might be the more willing to take my word for what I shall now say, thus saving the bitter retort to facts, names, and dates. And I have chosen to treat it historically rather than polemically, because unless the statement of the facts is convincing, no amount of argument will be.

Those of you who have been in the country of which I have written, know that I have told the truth; those who have not been there but who know and love the woods, can tell whether my observation is exact, my eye correct, whether I know what I have claimed to know. I only ask those who have credited what has been said to believe what will be said. I know this a great deal better—was bred up to it from childhood, have studied it these three years and held my peace, have strengthened my own opinions and observations with those of the best informed men in the State. Now after all that I have seen and heard and written down, I prefer to let these papers on game rest entirely on my own credibility. I only ask you to remember that I do not always undertake to express my own views; that I am not writing what ought to be, but what is; that though I may sometimes seem to misstate facts, I am only undertaking to tell what is generally believed here, which whether true or false, influences public opinion; and that when our opinions differ, I am talking about matters concerning which I know more than most of you possibly can know.

I shall not undertake to exhaust any subject nor to tell all I might tell, rather to give such facts as appear to me best to represent the subjects treated; but, if I tell something of deer hounding, the cause of the warden-murder, the effects of the Graves case, the Jock Darling case, and other much disputed matters, is it agreed that for the time being all foregone conclusions are set aside, and these subjects are looked at from the standpoint of the people for whom I write? For we are at a crisis in game matters here, so serious that great caution in action and full freedom of discussion are the only means of our delivery. Few dwellers in our cities and larger towns can be aware just how matters stand, and it is harder yet for those outside the State to comprehend them.

I am speaking for the farmers, lumbermen, explorers, guides, hunters, and all others of the section hereafter to be described who may be classed as our rural population. I am addressing those who visit the Maine woods, which includes many of our own citizens with the many from outside the State; but more particularly the gentlemen who visit the Maine woods—a much smaller class, whom it may be hard to separate from the "outsiders" and "sports," so-called, for whom no great regard is professed. If I do not seem to distinguish the two, understand now for all that the present company is always excepted, and that you and I are the people who never broke a game law;—at least I am sure I never did, and if you have done so at any time to meet your necessities for food we will not quarrel over that, knowing that as we say, you did it "reasonably." I have the honor to extend you a hearty welcome, irrespective of the money you have spent on the guides you have hired here. If you have come and paddled your own canoe, as some of you have, so much the better. If you have not hesitated to help the guides with the camp work and on the carries, it is to your credit. Your welcome here never is gauged by the money you leave, for the people whom I represent above all other things judge and prize a man for what he is.

FANNIE PEARSON HARDY.

I.—WHO OWNS THE DEER?—FARMER SPEAKS.

SOCRATES had just come from his easy conquest over S. Enthymemus, when Agelaus, one of the rabble, came up to him.

"I would like to ask you some questions, Socrates," said he.

"It would be more to your advantage if I questioned you, Agelaus," returned Socrates, seating himself on a curbstone; "however, if they are profitable questions I will answer them."

"Indeed they are profitable; they concern my moral duty to my neighbor and that of other men to me. I ask to be instructed. I am a farmer, Socrates, and the other day my goat broke her corral, so to speak, and put for neighbor Æpolus's garden, where she ate up all the winter cabbages which he was intending to sell at the Prytaneum at once and a half the market price—supplying government, you know; cabbages are cabbages this year, and the archons have all they can do to get enough to keep the visitors from Sparta in Spartan broth. It is about as cheap as anything after all, and seems palatable to them."

"It does not become such as you, Agelaus, to talk politics," remarked Socrates. "What is your point?"

"I want to know must I pay for those cabbages?"

"Certainly."

"But I shut her up all right, and the old idiot broke out without my connivance or cognizance, all on her own hook. Am I to blame for that?"

"Yes."

"Then a man must pay for damage caused by his own property?"

"Certainly."  
"That's just what I wanted to find out. Æpolus, you see, keeps sheep and lets them run loose. It was only yesterday that they got in among my choice tomatoes and trampled them up so I must sell out the whole thing to the canning factory for ketchup at a big loss. Mustn't he pay me?"

"Certainly."  
"But he won't."  
"He can be made to; the laws see that all such injuries are redressed. It is the part of the good citizen—"

"It is your part to answer, Socrates; you've had your play, now ante. If the laws shouldn't touch this case, would I be justified in killing them until he took care of them?"

"No: for the law provides that the owner must pay such damages, as I have already told you, and it will make him care for his cattle."

"That's just what I want to know, Socrates, for we haven't got to the end of things yet. There is a herd of deer which come every night and trample down my beans and buckwheat. Unless that is stopped I am a ruined man, I shall have to come on the town. Will the State stop that, Socrates?"

"It cannot. These are wild creatures."

"But the State owns them?"

"Certainly."

"And they have come into my field and trampled down my crops—my beans, too; I had both white and black. This new ballot system, you know, requiring a fresh bean at every ballot to prevent fraud was going to make a big call for beans. I know of three or four election rings formed already to get around it, with all sorts of devices for making an over-count. I was expecting to make large sales. Now, will the State pay me for those beans, I want to know?"

"Of course not."

"Weren't they destroyed by the deer? and doesn't the State own them?"

"Very likely, but the State will not pay."

"Mustn't the State pay for damages caused by its property?"

"O, Agelaus, you are a clown and a rustic, and for aught I know a fool also not to understand that the State has peculiar privileges, peculiar rights—"

"Ha, the State! I have heard you talk about the State before, Socrates, you have queer notions about the State; but it seems to me that the State, which is so rich and powerful, ought to be at least as honest as the private citizen, and else pay damages or keep her cattle fenced in. I want to know what I can do about these deer spoiling my field of beans."

"If you wait till October, Agelaus, the State will allow you to shoot them, three of them if you know where to go and whom to go with. This should be ample payment."

"It seems to me I have heard something before now about a bird in the bag being worth two on the snag, and meantime my crops are spoiling. That kind of business won't keep a man in sandals and not to speak of chitons."

"But the State is wise and understands—"

"It's a poor kind of a State in my opinion, Socrates, that doesn't pay any attention to its farmers. I pay my taxes and I own a share in those deer if any part of the State is me. Are they all to be saved for the guests from Sparta so that the tavern keepers of Athens may have geese to pluck? But while we are talking of these matters I would like to know whether other States than Attica own the game in their countries?"

"Indeed they do, Agelaus—Bœotia and Argolis, Phocis and Arcadia, the whole of them in fact."

"How is it, then, if our deer go into Bœotia? Or if their deer come here? Or, indeed, as sometimes happens, if the whole tribe migrates from one State to another? Can they kill our deer because they have strayed across the boundary? You would not let me do that to my neighbor's sheep. You said that he was responsible for them. Do we pay the Bœotians damages? And how is it if theirs come here? Are they subject to our laws or do they still obey their own? I would like to know these things, Socrates."

"O, Agelaus, I am puzzled. I am floored. You are a dolt I know, but you do ask hard questions."

"There is one point more. If this game belongs to the State and the State prescribes certain days on which it may be sacrificed, as it were, I suppose that the State does it impartially, so that all the citizens may have an equal chance. It belongs to the State wherever it is, and at these stated seasons is free to all."

"Certainly. The State strives above all things to be impartial."

"Then it is not permitted one man to capture and hold alive any game animal that he may keep it for his own pleasure or sport, and deprive the other citizens of their shot at it? Indeed I know it is not; for Penes, a neighbor of mine, who is a poor man, caught one a week ago intending to make a pet of it, but Theristes informed of him and the officers made him release it, saying that it was not legally captured."

"I heard of that, Agelaus."

"But Plutus and Croesus, who live near the Academe, have a whole park full of them—it is what I think they call a preserve—and what is more, they have special laws passed prohibiting any but themselves and their friends from killing the creatures, so that they are no better than licensed butchers in spite of their aristocracy. But I would like to know whether they really own these or whether the State does, and by what rights they obtained the privilege. Did they pay the State for them, or are the deer sold with the land like a kind of prize package business, in which they run their risks of something or nothing, a prize or a blank? But if it was by the beans, why should not I who am a bean grower—"

"Keep thyself from the traders in votes and from things above thy understanding," interrupted Socrates. "As for these, Dolus is their lawyer and craft is in him. I confess that I do not understand these matters. But it seems to me more the part of the good citizen to cry up the majesty of the State and the infallible justice of her laws than it is to dabble in dirty broils about dumb animals. For myself, I will return to my work of asking questions and training the youth to answer me with sense and fitness."

"Go your own way, old Soc," replied Agelaus. "If the laws won't adjust my grievance and don't undertake to be consistent, I rather think I can settle the matter myself. I pay my taxes, I vote, I serve in the militia, I do

my duty as a citizen. If the State won't either shut up her deer or else pay for the damage they do, I'll take my pay in venison whenever I can get any. That's all today, Soc." FANNIE PEARSON HARDY.

IOWA GAME BIRDS.

WINTERSET, Iowa, March 16.—*Editor Forest and Stream:* Twenty years ago this was an ideal country for feathered game. It was the natural home of the prairie chicken and the quail. A country of rolling prairie with dense thickets of hazel and oak along the many streams, it furnished cover for untold numbers of both chicken and quail. It was an easy matter to load up a wagon with prairie chickens, even with our indifferent dogs and muzzleloading guns. The number of chickens one could bag came near being a question of how fast he could load and how well he could shoot. But the pot-hunters and the market-shooters, the quail netters, the excessively wet seasons that followed one another year after year, the plowing up of the prairie grass, the change from rail fences—in the corners of which many a Bob White made his nest—to barb wire, the heavy snows for a succession of winters, came very near exterminating both chickens and quail. During the whole of 1893 I saw but two quail; and a party of five of us with fair dogs and guns, in a two days' hunt, bagged six chickens and flushed but eight. So far as local shooting was concerned wing shooting became one of the lost arts, the dogs were sold and the sportsmen became pursuers of rabbits, or contented themselves within taking a shot at a squirrel in a treetop, or a sneak on a stray duck that dropped down to take a rest in his northward flight. So far had the extermination of game gone that when I returned from a short residence in Nebraska and brought with me a well broken setter, for two years I enjoyed the distinction of owning the only bird dog in a county twenty-four miles square and containing 17,000 people.

But in 1884 Iowa went dry both climatically and legally, but as a success the climate beat the prohibitory law all to pieces. Ever since then the hatching seasons have been nearly perfect and the game has increased wonderfully. The mild winters may have something to do with it, for the cornfields were the resort of many chickens driven down from the north by the heavy snows. In September, 1886, with Hamilton Lee, going after a covey that we supposed was the only one within a radius of four miles, we flushed not one covey but three in the same field. We found another in the field adjoining, and one in every field we tried. Most of the shooting was in the corn owing to the short stubble, but still we got fair bags every time we went out. Last May and June were almost perfect hatching months. There were no storms, scarcely any rains, and the nights were warm and dry. The coveys of both chickens and quail were unusually large and the birds strong and vigorous. On Sept. 3, Dr. Robert Davison and I, over the same country that in 1883 we found no birds, cracked the limits of the Iowa law—twenty-five to the gun—almost before we knew it, flushing eight coveys in one field of cat stubble. Mr. Lee and I the week following bagged forty-four in an evening and morning, and in October on the "Iowa Homestead farm," in Adair county, I killed twenty-two in one small field in about an hour's shooting.

The birds have come back. Of course not in such numbers as they once were, but there are enough of them to afford any man who likes shooting well enough to wade through wet corn, tangled stubble and high rosin weeds a fair day's shooting, and with the continuance of such seasons as we have had they will become still more plentiful. Along every hedge row and in every hazel thicket there is a covey of quail, and the winter was mild enough to let them come through fat and strong. With good weather in May or June the number of Bob Whites in the fall will exceed that for many years.

A. G. GOSHORN.

TEXAS HUNTING AND CRUISING.

CORPUS CHRISTI, Tex.—The country in the vicinity of Corpus Christi abounds with game of every description; deer are frequently killed within five miles of the city, and are very plentiful within a radius of fifteen or twenty miles. On what is known as Flower Bluff, ten miles from the city, wild hogs are numerous and afford great sport to the hunter, while an occasional panther or wildcat and scores of coyotes give the tenderfoot sportsman many opportunities to test his nerves.

During the winter season the small fresh-water ponds, which are frequently found on the islands and sandy bottom lands along the coast, are covered with wild ducks of every description, while the wet prairies along the coast and in the interior are the feeding places of thousands of wild geese and brant, which make this their winter home. The various kinds of snipe and curlews are so abundant as scarcely to attract the attention of the gunner, who generally goes for the larger game. Wild turkeys are very plentiful in the brush and timber along the streams, while quail are so numerous that many are frequently seen in the gardens and streets of the city.

A glance at any good map, or at the coast charts, will show what splendid facilities are here afforded the yachtsman and canoeist, especially those who desire to spend a winter vacation cruising in the Sunny South. Matagorda, Lavaca, Espiritu Santo, San Antonio, Aransas, Copano, Corpus Christi and Nueces bays, and the "Laguna Madre" form a connected system of inland (salt) waters, extending along the coast for hundreds of miles, teeming with fish of every description known to southern waters, including the highly-prized tarpon, while oysters of the finest flavor may be had for the taking, and, as the islands and shores at almost any point along these waters furnish deer, turkeys and other game in abundance, a cruise in these waters offers advantages unsurpassed even by the inland waters of the Georgia and Florida coast.

Good hotels may be found at the various towns along the coast, including some very fine ones at Rockport and Corpus Christi, and the prices charged are moderate, so that a sportsman can live well here at much lower cost than at other more frequented resorts. J. S. P.

ILLINOIS GREASE.—Lexington, Ill., March 14.—The geese have made their appearance. Mr. Chas. Scrogin killed two on the 13th less than a mile from town; they were fine birds. Grant Preble and I were out on the 7th and bagged 123 rabbits in six hours.—W. W. G.

they remain without any apparent anchorage. They are not stuck in the mud of the bottom, nor held down by weights. If you lift one to the surface it will float, but you may move it about on the bottom without its rising. I have myself tried this with sticks from which the bark had been eaten, but have never done so with the green unpeeled limbs before the beaver has taken them into their houses. This matter to me is a very mysterious one, and I have never been able to get any hint as to how these sticks were sunk. All through the winter the beaver visit these caches, carry the sticks to their houses where they eat off the bark, returning the bare sticks to the water. Sometimes it may happen that, for some reason or other, the cache may not contain enough to last the whole colony through the winter. In this case the beaver, if possible, get on land through some air hole or piece of open water and then forage among the timber. Occasionally a combination of scarcity and severe weather may oblige the colony to emigrate during the winter to some more favorable spot.

No description of the beaver is needed, since his picture may be found in every child's book. The females are somewhat smaller than the males, and may be more certainly distinguished from them by their broader and more rounded tails. I have never seen the tail used in swimming, though it may be used as a rudder. The largest number of young that I have known of is seven. These I took from a female in April, and from their size and development I conclude that the young are born in May. The largest beaver I ever took I weighed and found that he turned the scale at 110 lbs. He was an old fellow and had lost three of his feet in traps.

Aside from man, the worst enemies of the beaver are wolves, lynxes and wildcats. These catch them to some extent in summer when they are working; but the number destroyed by these is probably not very great. Although beavers are supposed to be entirely confined to fresh water, yet I have on a few occasions, notably in Loughborough Inlet, on this coast, found them swimming in the salt water. In such situations they may easily be overtaken by a man in a canoe and shot, for a man can easily paddle a canoe fast enough to overtake a beaver.

The fur of the beaver as seen after being dressed and prepared for trimming clothing does not look very much like the coat of the beaver when freshly skinned. Then the soft under fur is concealed by a covering of long silky brown hairs, which are usually removed in the dressing. The castor, which is contained in two glands, one on each side of the vent, is the only other valuable product of the beaver. It is used by druggists, and was once, I believe, in great demand. It is a yellowish substance—very bitter—a sort of concentrated essence of cottonwood and willow bark.

While these remarks on the habits of the beaver will not help any one to learn how to trap him, they will serve to indicate that he is an animal of high intelligence and pretty well able to look out for himself under ordinary circumstances. In beaver trapping we use a No. 4 steel trap, and the bait is a strong-smelling mixture composed for the most part of the castor taken from the beaver itself. Almost every trapper has his own peculiar formula for preparing his "medicine," and each one thinks his preparation is the best thing in the world to trap beaver. It is a very unusual thing for a trapper to divulge the secret of his own preparation. Mine is a very simple one, consisting of castor, honey and alcohol, the purpose of the latter ingredient being merely to keep the castor sweet. Having mixed my "medicine," I bore a 2½ in. hole in a birch limb, lengthwise of the grain, fit a stout plug to it, and in this unbreakable bottle place and keep the mixture.

Many trappers set for beaver on the dam or near the house or on the slide or runway, where they go into or out of the water. I never do so. If you catch a beaver on the dam all the others see him there in the trap, and it makes them still more shy and difficult to catch. If you set close to the house you are almost sure to catch kittens, for the young are the first to come out in the evening and so the first to find their way into the traps. The skins of the kittens are worth but little, whereas if they are allowed to grow to full size they will bring full prices. I never set where the beaver himself goes, but try to put my trap close to where he passes. Having chosen my spot I take a lot of mud from the bed of the creek and make a little mound like the ones formed for sitting and rolling on by the animal himself. I then dig out a place large enough to hold the trap in the edge of the bank, splashing water over the digging to make it look natural and old. Just under water and on the bank above it I set up a little step on which are a few drops of the beaver medicine. This should be fastened to the trap either by a slender twig or a piece of black thread so that the animal, when he dives in the water, will carry it with him. This is to keep the other beaver from smelling it. The trap is set 6 to 9 in. below the water's surface, and the end of the step is 6 in. above water, and a foot or more to the landward side of the trap. The chain I carry out toward deep water as far as possible and make fast to it a good sized rock, as heavy as the beaver could well drag. Many people stake down their traps or fasten them in some way so that the animal, when caught, is held to the spot. The result of this is that the beaver, when he finds himself in the trap, works away until he has twisted off the imprisoned foot and escapes. The object of the trapper should be to drown his victim as soon as possible, and with the trap set in my way the beaver usually makes for deep water where the weight of the stone attached to the chain soon drowns him. A dry pole 10 or 12 ft. long will serve to mark the position of the trap in the water after the beaver has carried it off, and make it an easy matter to recover it.

This pole should be so small that the ring of the trap will slip over the butt. The branches which should be left on the pole will keep the ring from slipping toward the smaller end, while the butt may be split and wedged so that the ring will not slip back the way it came.

The spring of the trap should be bent around to one side—that to which the catch is fast, and the trap should be so set that the jaws when closed will stand parallel to the direction of the beaver's path. Thus the jaws in closing will grasp the beaver's foot without throwing it out of the trap. If they close at right angles to the beaver's line of approach, it might well happen that as they flew together they would strike the foot and knock it out of their reach.

Some trappers set a little deeper and make use of a

device to induce the beaver to put his foot to the bottom before he otherwise would. They plant in the bank a small stick sharpened at both ends. This stick is horizontal and about 2 in. under water, and its free end is just about over the landward side of the trap. When the beaver comes swimming along over the trap this sharp stick strikes him in the neck and stops him. He puts his foot to the bottom for support, and it touches the pan of the trap and he is caught.

It requires a great deal of patience to trap otter successfully. This is partly because they are such great travelers and are almost always moving about. You may find an otter slide to-day with fresh sign on it, and set your trap, and perhaps it will be ten days before the animal visits the slide again.

For otter I use a No. 4 trap, which I set either on the slide or somewhere near where the otter will pass. For "medicine" I use the glands, and scatter the mixture over the leaves and grass about the trap. When the trap is set on land I fasten the chain to a spring pole long and strong enough to raise the animal quite off the ground. The otter's struggles free the pole and he is lifted up so that he cannot twist or gnaw his foot off. If the trap is set in shoal water I tie the chain to a rock. He will not drag it far. When the trap is set in deep water, the ring is strung over a sliding pole. The otter skin is cased, but the tail must be split and tacked to a stretcher.

Mink are easily trapped, as they have but little cunning. To take them, build a little pen and set the small steel trap a little to one side of the middle of the entrance. Put the bait, which may be fish or bird's heads, on a stick a foot or two above the ground. Or a deadfall such as is used for martin or fisher, but smaller, may be used.

The days of successful trapping are now pretty much over, yet if a man has a taste in this direction it is always worth while for him to take a few traps with him when he goes into the mountains, for in this way he may bring back many specimens that he would not otherwise get.

TOAT COULA, Washington.

R. V. GRIFFIN.

## SIX YEARS UNDER MAINE GAME LAWS.

### II.—WHY THE FARMER COMPLAINS AND WHO HE IS.

THE Greek farmer, neither in character nor ability, represents the class of men who live on our hill-sides and forest clearings, but what he says is just what I have heard, and in much the same temper, from many of our farmers and back settlers.

That they should hold such views is natural, even unavoidable, under present conditions. Farmers, who are not guides nor hunters part of the year, are not very well acquainted with the game laws; many of them never saw the printed statutes and have no other means of judging the import of the law than by what they see done in its name. They have heard it said that the game laws were passed for the benefit of all; but what they have seen of the execution of these laws leads them to believe rather that the claim is a blind, and that the real object is preserving game for privileged classes who can pay for it, and keeping it from them, the poorer classes. If the suspicion at first sight seems absurd, consider whether any other view would be more likely to prevail among men who have had contrasts like the following thrust upon their notice.

A farmer on the Penobscot captures a caribou in close season intending to keep him alive, and an officer is straightway sent by orders from Bangor to force him to release the creature, under threat of prosecution. Prosecution, for having the animal in possession? No, for putting on snowshoes in order to catch the creature, because putting on snowshoes is *prima facie* evidence of an intent to hunt, whether one has a gun or not, and under the law the attempt is punishable. But while such wire-drawn logic is used against the farmer, two full-grown deer, which must have been taken in close season, are kept by the month and the year at the Bangor House, within a quarter of a mile of Mr. Stilwell's office. The immediate inference is that the rich and the poor are differently regarded by the laws. Again, a farmer who tries to sell eight or nine partridges in close time is fined, although he proves the birds were killed legally in December; but toge and trout are openly sold in close time in city markets. The poor man has no chance, they say; the rich man can do what he pleases.

Again, two farmers each killed a caribou a little before the open season began; neither was a hunter, neither knew what kind of a creature he was killing or that it was illegal; both were fined. But men from our own cities and others yearly violate the laws, knowing well what they are doing, and no wardens are sent into the country where they are known to have gone for this purpose. This injustice in the execution of the law is mistakenly but naturally laid to a partiality in the law itself. The law favors sportsmen, it is said, and is against our own people.

But the farmers see this difference between rich and poor made not only in capturing alive, in killing and in selling game, but even in transporting it. A hunter buys a ticket to Boston and checks his deer as personal baggage, just as sportsmen do daily, but he does not go on the same train with them. The deer are seized at Bangor on the ground that the owner must accompany them personally. The State law about non-transportation does not say this, by the way, but it is the interpretation at Bangor. The query comes, what is there wrong in it? Were not the railroad requirements met in having the deer checked as personal baggage and the ticket punched with the baggage check, so that nothing else could be afterward sent on that ticket? A sportsman's deer would not have been seized if the owner were detained by sickness or accident from going with them, is the comment, and the suspicion of unfairness is strengthened when this case is compared with another a few years back, when the non-transportation law was at its strictest. Then the orders issued at Bangor forbade any conveyance, public or private—railroad, stage or private team—to handle or convey more than one moose, two caribou or three deer under penalty of seizure of the whole load of game. The Maine Central R. R. issued the strictest orders on this point and refused to carry any game; seizures were frequent. But, nevertheless, this railroad at one time forwarded a load of deer—nine, it is said, including one white one tagged to a prominent railroad official, and all or a part of them killed with dogs by outside sportsmen. The load passed through Bangor, the officers there knew it, and yet no seizure was made. Comparing this with the foregoing, what inference could well be drawn except

that the laws had not been fairly executed? It is only a step to the assertion that the laws themselves are unjust, and the step is taken by those who know less of the law than of what is done by the officers of the law.

The cases given above are not fictitious. The information regarding the farmer who caught the live caribou, was given personally by Warden Eben F. Morse, of Ed-dington, who was sent to release the animal, and the ground for prosecution, absurd as it seems, is as he gave it. Warden A. J. Darling, of Enfield, gave the information regarding the farmer fined for having partridges in possession, and said that he tried to get the fine remitted because the man was too poor to pay it and the violation was unintentional. If the farmer had been able to go to law about it he could have won the case, as Benjamin Young of North Milford won his case on deer. Warden Alec McClain, of Mattawamkeag, said that he fined one of the farmers who killed a caribou, but should not have done so if the man had known enough not to sell the horns in close time to the station master at Mattawamkeag. The other, Milo Merriam, of Sherman (I believe), personally told my father of his case, and said that the caribou came out among his sheep at Benedicta, and he killed it not knowing what it was. The last case is the Walter McPheters case, soon to be tried in court.

Of the instances cited on the other side the first is too well known to need comment, the second will be referred to later, the third is notorious, and the last is based on information from various sources and the admission of the highest authorities here. These are not a tithe of the contrasts which might be cited; but these are enough to show how the present feeling could arise. I must not be understood to say that the laws are invariably or even half the time executed after this fashion; but to bring them into disrepute does not need that the majority of the grand total of indictments should have been of this sort; but only that the people, whose individual judgments make up the public opinion which I represent, should have seen three prosecutions of every five that have come to their notice conducted contrary to their ideas of fairness and justice, or if strictly legal in form, enforced against one class of law-breakers, while another class seems to have been scarcely noticed.

In what I say now, however, and in what I shall say, I am not speaking of the State at large, but only of the section included in Penobscot, Hancock, Aroostook, Piscataquis and the upper half of Somerset counties. Washington county might perhaps be added, but I do not know enough of the popular feeling there to speak with any certainty. Waldo, Knox and Lincoln, by their situation on the seaboard, have less interest in game than the other counties; and of the region west of the Kennebec I know nothing, though I judge a much better state of feeling prevails there than here. I speak of and for the country drained by the Penobscot, Union, and St. John rivers and their tributaries, and the territory about Moosehead Lake, which is always treated here as if it belonged to Penobscot instead of to Kennebec waters because most of the travel to and from it comes this way. These four counties and a half cover more area than the other eleven and a half—considerably more than the States of Massachusetts, Connecticut and Rhode Island combined. The population of these three States taken together, by the census of 1880 (the last not being at hand), was 200 to the square mile; that of Maine, 21. The proportion of native to foreign population in the three States was less than 70 per cent.; that of Maine, more than 90 per cent. But in the region of which I am writing the contrast is much greater. With half the area we have little more than one-fourth the population—not more than 12 to the square mile, by the census of 1880, and the ratio of native to foreign born must have been more than 95 per cent. In these four counties and a half there were only a dozen places of more than 2,000 inhabitants, and five of these—Bangor, Brewer, Hampden, Orono and Oldtown—lie almost adjoining each other. The significance of these facts in relation to what I propose to say is this: The absence of large towns shows that manufactures can occupy comparatively few of the inhabitants; the great preponderance of native over foreign born shows that under similar conditions they will be sure to think nearly alike; the scattered population shows that agriculture, under which lumbering may properly be included, must be almost exclusively followed. Since the population is practically homogeneous both in race and in occupation, I must either entirely mis-represent them or else represent what is known politically as an overwhelming majority.

Now this section contains by far the greater portion of the forest land of the State, including all the best of the deer country and nearly all the moose and caribou country in the State. The inhabitants of this section as a whole must therefore know more and care more about game matters than those of any other section. For another reason also they are better informed.

Bangor lies in this section and Bangor is the great lumbering and sporting center of the State. Whatever is done in the woods, in the course of time drifts down the river to Bangor, and there is caught by those who stand waiting for it. Things that the doers supposed were buried in the wilderness—what was done, what was seen, what was said, even, come to be talked over publicly on Bangor streets. As it is the center also of all the railroads leading to the great game country, most of the sportsmen who come to hunt must pass through it, while game seized in transportation is more often taken here than anywhere else. Then, one of the game commissioners lives here, so that it is headquarters for official news. Besides, Bangor and Ellsworth are the two principal county seats of the region described, so that most of the game cases that pass into the higher courts are tried in either one or the other of these places. While many of the people may not be able to tell a deer from a caribou, there is, nevertheless, no other place in the State or out of it where Maine game matters are so well understood and so much discussed as in Bangor; and a knowledge of what is said and done there is indispensable if one would speak on game matters.

This knowledge I may claim to have, from having lived so near as to be almost in the city and from peculiarly good facilities for obtaining information. Other circumstances have given me a considerable acquaintance with woodmen, guides and hunters, both white and Indian, and opportunities of knowing about many more whom I never have seen, therefore I know definitely for whom I am speaking and what are their views. In addition, I have been through the game regions of which I speak in close time, for the express purpose of seeing what was

done and hearing what was said before the better class of visitors had arrived, so that I can speak from my own knowledge on some points where I speak most strongly. The information obtained from these sources, the fact also that the people of this section, for the reasons given above, must be practically of one mind upon game questions, and that I am heart and hand, by birth and education, one of them—lead me to suppose that I can represent their views. Do not misunderstand me as doing more than presenting these, explaining their origin and to what they will lead; as I have purposely shown you in the preceding series, I am too prejudiced to be able to sit in judgment on the laws, and I shall not attempt it. But by reason of this very prejudice I am able to get at facts which you could not, and I can reflect public opinion in a way that your critical and judicial power, which fits you for discussing what I am debarred from, could not arrive at. It will be done solely for the sake of producing a better understanding between you and those for whom I am speaking. When you reflect that the people here are the natural game wardens of this great forest region and that the very existence of the game depends on their good pleasure, the importance of your knowing how they think, feel and talk about these matters will be self evident—a sufficient reason for my saying what I have to tell you, a sufficient excuse for giving some good advice, which must be heeded if sportsmen would like to come here and enjoy the privileges they have had heretofore.

I have already told something about the commonest claim here—that the game laws are enforced so as to favor sportsmen—and that many say the laws themselves warrant this. On the former of these two points I have given some evidence, the other I will illustrate briefly in my next paper, with some other claims of a similar nature. It should be stated that the latter of these two opinions is more prevalent among farmers and those less likely to be well-informed on the subject, that the former is held by guides, hunters and others who have had better opportunities for studying the printed statutes. And here let me state unequivocally that whatever the individual opinions quoted hereafter may seem to claim, to my best knowledge and belief the people as a whole do not ask to have the game commission abolished, do not ask to have visitors excluded from the State, nor more rights given to residents than to non-residents, nor to have the laws changed. Some localities would like to have one change made and some another, but they are not agreed upon any unless it is the law regarding winter fishing. The laws, they say, are good enough; let them be enforced. Or, we have plenty of law on the statute books, we would like to see some of it in the woods. Or, give us good officers and we will see that the law is respected, for the law is good. FANNIE PEARSON HARDY.

BREWSTER, Maine.

HUNTING AND KILLING.

Editor Forest and Stream:

Mr. Geo. H. Wyman, in his interesting paper on the Virginia deer in your issue of March 19, brings up the old question of still-hunting vs. hounding, and expresses his opinion in favor of the latter method in very decided terms as least destructive and more sportsmanlike. This is largely a matter of opinion, of individual taste, and depends almost entirely on early impressions and education.

As it happens, I have killed only two deer ahead of hounds, while I have secured many by still-hunting; and my preference as to these two methods is altogether in favor of still-hunting as much the higher form of sport.

It is, I think, an axiom that the more skill there is required in any form of sport, the higher that sport is. Thus, by as much as it is more difficult to cast a fly for a salmon and successfully play and land the fish than it is to take and land a trout, by so much is it a nobler sport. So fly-fishing for trout is higher sport than catching bullheads in a mill pond. To kill the swift-winged quail or ruffed grouse on the wing is more difficult, and so finer sport, than to pot sparrows along a hedgerow.

It is, I believe, generally admitted that to kill a deer before dogs is easier work than to still-hunt. A correspondent of yours writing from St. Lawrence county a few weeks ago complained in substance that but few deer would be killed in his county if neither jacking nor hounding were permitted, thus admitting that still-hunting could not be successfully practiced by most hunters. It is a matter of common knowledge, I believe, that deer are often killed before hounds by men, women and children who have not the slightest knowledge of the habits of the animal, and are no more competent to practice still-hunting than they are to fly.

If I understand the methods pursued in hounding, all that is required of the hunter who is successful by this method is that he shall be able to stop a deer on the jump and shall have patience to remain quiet at his stand. The successful still-hunter, on the other hand, must know the habits of the deer, and must match his skill and caution against the acute and ever-alert senses of one of the most wary of animals.

Granting that there is a great charm in the mellow music of the hound, and a vast deal of excitement in the uncertainty as to whether the game will or will not come toward the hunter, I cannot help thinking that the difficulties of still-hunting raise it far above the sport of hounding.

It may be that still-hunting is more destructive than hounding, though I cannot think this is the case. Take the Adirondacks, for example; how many deer would be killed there annually by the visitors to the woods without the aid of dogs? Not many, I fancy.

There is one point on which I am thoroughly in accord with Mr. Wyman. That is, that it is not the killing that constitutes the sport of hunting. It is the meeting the wild animal on its own ground, finding it in its own home, and then proving that you are more watchful and wise than it is; that, notwithstanding the fact that it is always on the alert, that its eyes, ears and nose have been trained through centuries of inheritance and years of practice, your caution and your senses—though dull by comparison—yet enable you to circumvent it, and approach within the killing distance.

Many and many a time have I spent half an hour or half a day in watching, waiting and creeping to get up within easy range of deer, elk, antelope, buffalo or other game, and then when I have reached the point of vantage, have lain there with my loaded rifle and watched the actions of the graceful creatures, feeling that they were

in my power and yet with never a thought of killing what I did not need.

I think that among old hunters this feeling is quite general, and that very few of them care to kill merely for the sake of shedding blood. The triumph of their hunter's skill over the animal is the only satisfaction which they seek, and for them this triumph needs no visible, tangible proof, such as would be furnished by the carcass of the slaughtered game. The old hunter knows perfectly well whether he could have killed if he had wished to, and he has killed enough in the past to make the addition of another victim or two a matter of no moment to him.

It seems to me that those of us who have passed the stage where we kill simply for the sake of killing, can do a little good by explaining to those who are younger, or have had less experience than we, just how we look at this matter. Aside from its value as food, game is useful for the hunter to practice his hunter's skill on, not his shooting. It should not be killed unless required for camp use, or possibly when an unusually fine head is seen.

THE SILENT MAN.

REPLY TO "SPECIAL."

I WISH to thank "Special" for stating that he believes me to be honest. It is what I have always endeavored to be.

His statements as to who he is occasion no surprise, as I know far more about him than he supposes. It is on account of this knowledge, corroborated by the statements in his last, that I have written. I do not question his knowledge of Boston markets, or that he visits Maine occasionally, or that he sees many from there. I said he was a stay-at-home correspondent, and I still say so. I do not question his good intentions, but I do say that he gives statements as authoritative on many points of which he has a very limited knowledge. That he intends to state facts is no excuse for stating things to be so which are not so. I did not question the many correct statements; I challenged the incorrect ones regarding our land owners. By an official report to the Boston Journal, March 17, our wild lands are given as containing 9,260,836 acres, valued at over \$19,000,000, and the tax for 1891 is \$52,748. Is it wise to antagonize the owners of this property by making statements about them which cannot be proved? "Special" stated that they were "obstinate to pig-headedness" and would oppose a certain measure "with all the power they could bring to bear." In his article of March 19 he says truthfully, "There was not much opposition to the amendments," and his silence regarding land owners shows he was mistaken. I asked him to quote any article a land owner had ever written proposing to curtail the privileges of sportsmen. He has not done it. Instead of this he speaks of one who wished that hunters and fishermen could be kept off their lands for fear of fires. This, I think, is no unreasonable wish. If "Special" were a land owner he would wish the same.

He mentions a praiseworthy case where a gentleman tried to extinguish a fire which "some camper had left burning." If there had been no campers there, there would have been no fire. He complains of land owners because "they can see no difference between the real sportsman who would as deeply regret a forest fire as they would themselves and the worthless, thieving poacher of their own State." Now, the fact is that it is the guides, who belong to the class "Special" calls names, who really preserve our lands from fires. They choose the camping places, they build the fires for the sportsmen, whether real or sham, and they put them out on leaving; were it not for our guides the State would have been burned over long ago. A man may be a perfect gentleman and obey all laws, and yet be very careless with fire. I can give names of three Bangor men who set three separate fires in past years—all first-class men, but careless. To imply that a gentleman will not carelessly set a fire, and that those who do are poachers and thieves is absurd.

"Special" says that I object to "true sportsmen." That is his statement, not mine. I object to no man, white man or Indian, who kills no game and catches no fish to waste. A good many such come here to fish; a very few to hunt. All such men are welcome. What I do object to is having any one calling the men who leave our trout in piles to rot on the banks, as I have often seen them, and who kill our game in summer and waste it, "true sportsmen," and calling other as good men "thieves and poachers," if later they kill what they need to eat. I do not believe in calling any one hard names. It never does any good to the cause of the one who uses them; but I believe in fair play. "Special" says in the FOREST AND STREAM, Jan. 13, 1887, page 487:

"I have heard a gentleman say within a couple of days, and I know him to be a true gentleman, notwithstanding he has been in disgrace in Maine for shooting game out of season, for which shooting he has paid his fines—I have heard him say that if Maine changed her game laws so as to give September as part of the open season on her larger game, that he should do all in his power toward helping the Commission."

Now if he means to say that a man who has killed game in close time is a true gentleman because he has paid his fines, why is not Jonathan Darling, after he has settled his fine, as much a gentleman? Darling wants September opened for dogging deer, and this man wants it opened to kill them after his own fashion. Wherein is the difference? What I wish him to see is that by making class distinctions, by keeping silent about the rich who come to waste and berating those of our State who kill to eat, such a state of feeling has been made to exist as "Special" at his distance knows nothing about. He hears one side and gives that as he hears it; there is another side of which he knows little and which I feel would modify his tone were he more fully informed. My daughter is writing a series of papers on Maine game which may place some things in a different light from what they have been viewed. "Special" doubtless knows more of the Rangeley region where he visits than I do; I make no pretensions to knowledge of that country; but of the country east of the Kennebec from the sea to the boundary lines, I have a knowledge such as he will never have.

"Special" asks me to find a line he has written defending the killing of game out of season. I have never stated that he defended it; what I do say is that he condemns one class and keeps silence about the other. He will remember that our close time extends to Oct. 1. He knows that fully three-fourths of our hunting visitors

have finished their hunting before that; of the remainder I think a fair statement would be that at least half go to different points, where deer are dogged to hunt in this way. I think "Special" would be fair if he knew the facts, but our local papers rarely expose visitors, while they do give some cases of violations by our own people, and at his distance he repeats what he reads.

As to shooting cases, "Special" says: "Note where I say in substance that if anybody does this and gets shot, why, I am simply glad of it." I freely acquit him of partiality; but how any man can say he is glad when a man is killed or wounded and a home is left desolate, is beyond my comprehension; but that is his funeral, not mine.

A large part of his article is given to "submitting a proposition to my judgment," and to bring it down to my comprehension he has kindly restated it in simpler form. When I first read it over I thought it sounded familiar and at once turned to Mark Twain's first interview with Artemus Ward. I quote a part of it, as I think any one reading the two will at once see the similarity in directness of style:

"Now, what I want to get at is—is, well, the way deposits of ore are made, you know. For instance: Now, as I understand it, the vein which contains the silver is sandwiched in between casings of granite, and runs along the ground and sticks up like a curbstone. Well, take a vein 40ft. thick, for example, or 80 for that matter, or even a hundred—say you go down on it with a shaft, straight down, you know, or with what you call 'incline,' maybe you go down 500ft., or maybe you don't go down but 200—anyway you go down, and all the time this vein grows narrower, when the casings come nearer or approach each other, you may say—that is, when they do approach, which of course they do not always do, particularly in cases where the nature of the formation is such that they stand apart wider than they otherwise would, and which geology has failed to account for, although everything in that science goes to prove that, all things being equal, it would if it did not, or would not certainly if it did, and then of course they are. Do not you think it is?"

And then I said aloud: "I—I—that is—if you don't mind, would you—would you say that over again? I ought —"

"Now, don't you be afraid. I'll put it so plain this time that you can't help but get the hang of it. We will begin at the very beginning. You know the vein, the ledge, the thing that contains the metal, whereby it constitutes the medium between all other forces, whether of present or remote agencies, so brought to bear in favor of the former against the latter, or the latter against the former or all, or both, or compromising the relative differences existing within the radius whence culminate the several degrees of similarity to which —"

I said, "Oh, hang my wooden head, it ain't any use—it ain't any use to try—I can't understand anything. The plainer you get it the more I can't get the hang of it."

"Special" sums up his proposition by asking me "squarely to tell the readers of FOREST AND STREAM whether if Maine people stood by their own game laws and refused to assist 'sportsmen' from other States in illegal killing of game, if the whole work would not be done." I answer squarely, no. Only the year before last a New York gentleman whose name I have, left here threatening to bring his guides and boats from the Adirondack county. I say that if our people all stood by the laws to a man, these men would come as long as they knew that by paying a fine, light to them, they would still be considered gentlemen in other States. They care no more for our laws or our State than the Boston liquor dealers do; what they want is the game. "Special" has unwittingly showed where his sympathies are. He has proposed for the whole people of a State to keep the laws and to keep any of their number from being hired by outsiders to help them break the laws, before he proposes to help us. Did he ever know any State, city or town, where no one could be hired to break laws? If that is the only condition on which he proposes to give us any moral support, we will "paddle our own canoe." To expect the people who own the game and the land it is on, to stand by year after year and see it wasted, with rewards offered by outsiders for their conviction if they break their own laws, and no rewards for non-resident violators, and no word of encouragement for those who do well, but only opprobrious epithets hurled at those who follow bad examples, is too much to expect even of Maine.

MANLY HARDY.

CHICAGO AND THE WEST.—Chicago, March 21.—John Gillespie is back from Florida, the better for the trip, it is hoped, though suffering from a very bad trouble with his eye, the lid of which seems temporarily paralyzed. March 23.—At the close of last week thousands of geese were reported, so Mr. Low tells me, at the Kankakee marshes at Cumberland Lodge, the most seen there in any late years. Ducks are said to be in all over the marshes now, as the thaw is well on. There seems little doubt that the flight of this spring is exceptionally heavy though no steady shooting has yet been had. A number of parties went out last Friday and Saturday, but at this writing no word is yet obtainable from them. They have doubtless met the birds this time.—E. HOUGH.

DUCK SHOOTING ON GREAT SOUTH BAY.—New York, March 16.—I rigged my decoys on the windward shore, but only secured four ducks. Then, determined to do better, I rigged on the following day on the leeward shore, where I bagged seventeen. After a stay of five days I took thirty ducks home with me, and bethought myself that leeward shooting is better than windward, when the wind blows a reef gale.—D. M. HARE.

SPRING IN THE ADIRONDACKS.—Northwood, N. Y., March 25.—Spring is certainly here. Robins, bluebirds, woodchucks, ducks, snakes, blackbirds, song sparrows, yellowhammers, and some of the smaller hawks have appeared. The snow has nearly gone, and the ice is out of the West Canada Creek at this point. The pheasants appear to have wintered well.—WOODCHUCK.

WHAT the harness manufacturers use and praise should certainly be just the thing for private and livery stables. Harness manufacturers consider the dressing produced by Frank Miller & Sons to be the best ever used on a harness, new or old, for it is not only a beautifier but a preserver to the leather, while giving it a perfect finish. It does not peel, crack or smut, nor will it harden the leather, and may be used on buggy tops, fly nets, traveling bags and trunks. It is a general favorite because it can be relied upon.—Adv.

The descriptions of the habits of the birds are full of life, and breathe the true spirit of the open air. In most cases where the nests and eggs of any species are described they were taken by Col. Goss, or by his brother, Capt. B. F. Goss, in whom he had a sympathetic and able coadjutor.

We regret to say that the illustrations in this volume are not worthy of the text—a fact which Col. Goss appears to have realized, for in a note appended to the volume he expresses regret that in many of the plates the figures do not come out as they should. Where the birds figured are large, the representations are sometimes effective, but it is evident that, for figuring small birds directly, this process is by no means satisfactory. With the smaller species it is often quite impossible to identify a bird; a guess can be hazarded, but that is all.

We notice, too, more typographical errors than should have been in such a volume as this, errors of ordinary proofreading as well as errors in the scientific names of the species. In a volume of nearly 700 pages like the one before us it is inevitable that some blunders of this kind should occur, but they are none the less unfortunate.

Notwithstanding these minor blemishes "The History of the Birds of Kansas" is a most useful contribution to our knowledge of the bird life of the central West.

WOLVES IN FRANCE.—Many people every year, no doubt, read with surprise in their "Robinson Crusoe" the account of the attack which wolves made upon his party as they were coming down the Pyrenees into France, and wonder a little that those wild beasts had not been exterminated at so late a date as a couple of hundred years ago. Such readers will find cause for still greater astonishment in an article which appeared in the *Revue Rose*, of Feb. 7, and which gives a good deal of curious information about the existence of wolves in France at the present day. No less than 315 of these animals were killed in the battues of the year 1889, the Exposition year. In several parts of the country they are a serious nuisance, killing sheep, destroying the little game that still exists, and even attacking human beings. General battues have been held twice a year, in March and in December, for two hundred years and more, under the direction of the lieutenants of *louveterie*. These officers are appointed by the chief of the State upon nomination by the Minister of Forestry, and, apart from their official character, seem to be much like English masters of the hounds. They are taken from the class of wealthy land-owners, keep up at their own cost an *équipage de chasse*, and serve without pay. In return they had up to 1832, the right to hunt stags, boars, and hares twice a month in the State forests. This privilege is now restricted to wild boars only. Within the last ten years attempts have been made to exterminate the wolves altogether. In 1882 rewards were offered of 200 francs for every wolf, male or female, known to have attacked a human being; 150 francs for each *louve pleine*; 100 francs for each *louve non pleine*, and 40 francs for each whelp. These rewards were paid in 1889 for 86 animals killed in Dordogne only, and 79 in Charente. In 1888 the numbers were: 100 in Dordogne, 56 in Charente, 53 in Haute-Vienne, 29 in Meuse, and 26 in the Vosges. The north of France, the centre, Normandy, and the basins of Paris and on the Rhone appear to be the only regions that are quite free from them. According to the writer in the *Revue Rose*, the last wolf was killed in Scotland in 1690 and in Ireland in 1710.—*New York Evening Post*.

WILD GEESSE AND ELECTRIC LIGHTS.—Ottawa, Kansas, April 1.—This season has been very wet so far, in fact there has been more rainy weather crowded into it than we have had in a like season for a number of years. I suppose this is the reason for the immense flight of wild-fowl last Saturday night, as we have not had many ducks for several years until this spring. On that night it seemed as if the sky was filled with ducks and geese. The night was still and dark and as the birds flew over the city some of the geese would get bewildered by the bright light of the electric lamps and circle round and round the light, squawking as if lost. The ducks do not seem to care for the excitement of city life and go quietly on their way, but a goose is so supremely curious that he can hardly pass an electric light without flying round and examining it. About two years ago there was a terrific thunder storm in this city and vicinity, during which a flock of geese, numbering probably 200, entered the city and soon became bewildered by the storm. Some of them, it is said, even lit on the roofs of houses; but certain it is that at half past four or five in the morning there was a great flock of geese sitting in the light of the arc lamp, on the corner of Main and First streets, in the center of the town. This, of course, is an exceptional case and would probably never have happened if it had not been for the storm, but why they should be so irresistibly attracted toward a light as to lose all fear of man's habitations, and to alight in the middle of the street, has always been a wonder to me.—F. B.

HOW TO GROW MUSHROOMS.\*

MUSHROOMS are usually regarded as high-priced delicacies, yet it is not a difficult matter to cultivate them, if only the methods to be pursued are known. Nothing satisfactory on this subject has ever been published in America until now, but in the present work we have a little treatise which renders mushroom culture easy, and should result in making this delicious plant much more common than it is at present.

Mr. Falconer's practical cultivation of the mushroom has extended over many years and his experience entitles him to speak with authority on this subject. His directions are full, explicit and detailed. He does not, like most writers familiar with a subject, take a good deal for granted, but tells of all the minor points of the subject, from preparing the bed up through planting the spawn to gathering and marketing the crop. Nor does he confine himself to instructions for growing the mushroom on a small scale merely, but he gives ample directions for cultivating it for the market. Plans for the construction of mushroom houses are given, the diseases which may attack the plant described, and generally the subject is gone into with a fullness and clearness which leaves little to be desired.

The cultivation of the plant in England and France is described, and finally there is a useful chapter on cooking mushrooms. The book is one which certainly ought to have a place in the library of every dweller in the country.

\* Mushrooms—How to Grow Them, by William Falconer, cloth. Orange Judd Co., New York. Price \$1.50.

A BOOK ABOUT INDIANS.—The FOREST AND STREAM will mail free on application a descriptive circular of Mr. Grinnell's book, "Famous Hero Stories and Folk-Tales," giving a table of contents and specimen illustrations from the volume.—Ad.

Game Bag and Gun.

THE FULL TEXTS of the game laws of all the States, Territories and British Provinces are given in the *Book of the Game Laws*.

SIX YEARS UNDER MAINE GAME LAWS.

III.—THIS, THAT AND THE OTHER CHARGE.

MOST do not profess to believe that the laws as now on the statute favor any class, resident or non-resident; but those who hold the opposite opinion claim to have some show of reason on their side. The following extract from a newspaper article by an old Aroostook trapper deserves careful attention as illustrating not only the way in which this conclusion is reached, but the plainness in speech and strength of feeling with which game matters are discussed here. There is no doubt in the writer's mind about the animus of the law—no hesitation in declaring that "the shifting of the game from rural to aristocratic hands is the final and main object." I hold the original of the article of which this is an exact copy. It was also published in the *Bangor Daily News*, Feb. 12, 1891, over the writer's own signature, with the title of his own choosing:

THE ARISTOCRATIC WAY.

Now, then, let us decide how the penalties for breaking the game laws compare with the penalties for breaking other laws. It would be out of all reason to punish a game law breaker as severely as a horse thief, and yet he is punished far more severely—\$100 for killing a \$10 moose, and the same for attempting to do so by unsuccessfully hunting him; and as earning a thing favors (in a moral sense) ownership, then the moose is his unless prior ownership can positively be proved and thus the law sustains its moral right.

If the State should weave the principle of punishing the attempt to commit crime, as she does the committing of crime, into her other penal laws, the game law breakers could not complain of the inequality of her tyranny. If she claims that that peculiar feature of law-making is necessary to check such a heinous crime as seeking one's own food in the forest in the teeth of the doubt regarding the right of the State to make the law at all—and having severely earned it, too—then I would beg leave to remark that it might likewise be a fine thing to weave a similar principle into the punishment of other milder crimes, such as murder in the first degree, arson, burglary, larceny, etc., etc., etc.

And while a horse thief is not materially punished for simply keeping the fixings for running off horses, we are fined \$20 to \$100 for keeping the fixings (dogs) to run wild hounds. Why does the State thus make an exception of the game law breakers? I will try to show further on. But, again, I shoot a partridge in close time, worth from 5 to 10 cents (that is, in the place where he lives), and am fined from \$5 to \$10, one hundred fold the value of the bird. Apply the principle to one who steals a \$100 horse, and a \$10,000 fine is his fate. Why this severity on a breaker of the game law? I will show further on. But, again, you send your horse, worth \$100, up to Massachusetts on the train. I send my bird killed in open time (my lawful property) on the same train, under the sanction of the Constitution of the United States, and while the State defends you it punishes me one hundred fold right in the teeth of the United States charter which says, "Commerce between the States shall not be restricted," which, if applied to you, would cost you \$10,000. Why such terrific, outlawed tyranny? I will show further on. Again, the fish law places a fine of \$20 for an attempt to break the law and \$1 apiece if the fisher is successful. What is the proportion here? Well, suppose he catches 50 cents worth per fishing trip, then the fine is at least forty fold. Why this severity on this class of law breakers? I will tell further on. But again a fine of \$10 is placed for killing certain fur animals from the first of May to the middle of October. Now muskrat are prime through May, and are worth about 20 cents, and I happen to know as a hunter that May is as good as any month of the year to hunt them, and 100 of these being a fair month's work, it follows that the hunter is fined \$1,000 for a meritorious month's work.

If this principle was applied to everybody, then everybody would rebel, and nothing, or rather nobody, to rebel against; and this law might well be called a duplicate of the Devil's Statute Book. But if I plead that this was an inadvertence, I answer, "If ignorance of the law excuses no one, then ignorance of law-making excuses no State," more especially such an unparalleled abomination, and besides one which has been on the statute books some twenty years.

But why all this severity and even recklessness, even to the violation of the Constitution of the United States, and the undermining of the underlying principles of equity and decency? I have promised to tell why and I will do it.

The whole thing is got up by commercial men under the assumed object of protection; and in part this is true. Still my best opinion, after looking the field all over, is that the shifting of the game from rural to aristocratic hands is the final and main object. Where is the evidence? Why, everywhere a sportsman and a backwoodsman kill a moose unlawfully on the same day. The rich sportsman pays his \$100 and keeps right on; the other hunts inside four walls, and the city chap has entire possession of the hunting grounds. Thus, though the fines are equal, the effects are quite opposite, and the desired effect is consummated.

This is as nearly independent as any opinion can be; for the one who writes is by his tastes, habits, and location, little likely to hear these matters much discussed, and he says in addition in a personal letter: "About all I know is what I have dug out alone while hunting. I have nothing personal in the matter, never having been troubled by any agent of the State. My main objection is that the sporting organizations mean mischief, and that the underlying principles of the whole code tend to destroy our Americanism." But although he reaches this conclusion independently, he is not alone in holding it. By an odd coincidence, the same issue of the paper which printed the above contained another article, by a gentleman not known to me, though he writes over his own name and from the same county and town as the other, which shows that this feeling is far from being uncommon in this section. He writes (and the character of his article is ample evidence for the correctness of his statements):

The game laws have not received the hearty endorsement of many of our good citizens, because in their judgment the law favored the sportsman more than the citizen and settler. Whether this be true or otherwise it matters not, so long as the people put this construction upon it. If any were in doubt, we have only to make September an open month and all doubts will be removed and suspicion will resolve itself into absolute certainty. Then all sympathy and aid will be withdrawn and each settler will become a party to the general massacre, fully persuaded that he will have his share of the spoils. Such talk is already being indulged in and it means more than the language implies.

It is not necessary to dwell longer on this point since no good would come from it even if the fact of such a partiality existing in the laws could be established, while the claim that it exists there is too common to need formal proof and is as well illustrated by this one example as by the thousand which might be cited. But it is a fact, and a fact to be regretted by all, that game matters and game legislation are coming more and more to be regarded as a contest between rich and poor, non-resident and resident, sportsman and farmer, the game being only the *casus belli*—the excuse for the war. To strangers to our customs and ways of thinking, "the transfer of game from rural to aristocratic hands," must seem the very shadow of a grievance. But it is real and weighty here where equality is the air we breathe and every man is known by his first name, where social dis-

tinctions are scarcely recognized and even to talk of "privileged classes" gives offense. Very little respect is shown for money, though the ability to acquire is recognized; for an outdoor life, among physical hard-hips and dangers has caused personal prowess to be generally regarded as a better endowment than a fortune; money won't buy everything here, is a common sentiment, and many a man will do as a favor what he could not be hired to do for large pay. But the influx of a large number of visitors, competing with each other, has produced an impression that "outsiders" think money will do everything. These outsiders are the "aristocracy" referred to, and the point feared is not so much that a class with leisure at command shall be able to spend more time and so have more opportunity for hunting than a laboring class, as that what always has been shared by all shall become the monopoly of those "who think they can buy the air of a free country." The feeling is deeper than a stranger can easily comprehend. The time will not soon come here when the typical farmer or woodsman will prefer five dollars or thrice five for showing a sportsman a deer, to the right to take his own chances at the deer if he prefers. He cannot understand how natural rights can be bargained for money, and he looks with suspicion on whoever tries to buy him out.

It is this—and it is useless to evade the matter in trying to give an account of the dissatisfaction here—which has given rise to the charge that the game Commissioners wish to save the game for sportsmen. They have spoken so much of the amount of money which sportsmen leave here—where money never has been the popular standard in game matters, but the equal rights of all to fish and hunt—that their statements, however true they may be, because they run counter to the feelings of the people, have helped in arousing opposition to sportsmen. All the classes of residents whom I have heard speak on the subject agree in this; they have no game to sell—do not know any one who has any; sportsmen may come as much as they please and take their chances with other folks, but no game will be saved for them; game is free here and will be as long as it lasts. It is the Commissioners, not the people, who have talked of the amount of money sportsmen leave; no one else sees millions in it; and if there were, a thousand dollars for every head of game killed would not satisfy us that any man has a right to kill game animals wantonly and waste them. "Sport" is a term not understood here. The condemnation of waste is universal, and the chief reason why sportsmen as a class are not welcomed with more than toleration is the inexcusable waste of game, of which they have been guilty these many years. "A mink, an otter, and a sport," the saying runs, "are the only creatures in the woods that will kill more than they can eat."

For the lack of cordiality shown toward sportsmen as a class, they themselves are responsible; for as a class they have broken our laws, transgressed our customs, interfered with our lawmaking, tried to raise class distinctions both by urging special privileges for non-residents and by their bearing and words while here. These are true charges; and yet, so far as I am aware, they have not produced any other influence adverse to sportsmen than a failure to respect them as a class. There has been a marked change within a few years in the way sportsmen are spoken of by the guides, who know most about them. Formerly it was "the gentlemen I was with," or "the man I was guiding for;" but now it is, "two sports I had last fall," or "a city dude that was here," or at the utmost stretch of civility, except when some always-welcome guest is spoken of, "the man that was with me." These phrases indicate exactly the popular feeling which verges on contempt if it does not pass the line of it—for the majority of those who come here to hunt—not of the tourists and anglers, for I am not speaking of them. This is the figure at which sportsmen by their own actions have placed their valuation; it expresses toleration rather than regard or ill will. The bad feeling felt toward sportsmen is caused by something of which I cannot but think them ignorant, though their actions here do not tend to disarm suspicion on this point. It is impossible that they should know what we know about the management of game matters as conducted in this State, or that the laws are not enforced against non-residents in the same way that they are against residents. We have known it so long that we forget that every one does not see the same, and sometimes suppose that non-residents who come here in summer have an interest in continuing the present state of affairs. That this is unjust both to visitors and Commissioners, does not make it less harmful to them; for there is no mistake about the fact of partiality in the administration of the laws, and the only way in which this can be accounted for by those who know only one side of matters is that the Commissioners know it, the visitors wish it, and the object is to save the game for those who pay cash for it, "transferring it from rural to aristocratic hands." This arouses the bitterest feeling against sportsmen, and it certainly is as much for their interests as for ours to know the facts and to be able to show that they do not desire any such thing. Just where the error lies I will show later, but as to the justice of the ground on which the complaint is based, did any one, on thinking the matter over, ever see a warden in the woods anywhere over the whole Moosehead, East Branch, West Branch and Allegash country—the greatest hunting ground in the State—before the first of October? It would be strange if any one did, for not only have we never heard of it, but on the 31st of March of this year, when my father asked Mr. Stilwell personally if he ever had sent a warden into the woods during the summer months, Mr. Stilwell did not mention a single case. And yet this is the time and this is the region, when and where the majority of visitors from outside the State go to hunt, and it is well known that they kill large quantities of game illegally and waste the most of it—that they have come for this purpose. But wardens are active in winter, and the same visitors who broke laws in summer with utter disregard, are urging them to exterminate the race of "crust-hunters." Is it strange that this having been the case year after year, the people here should declare that all the visitors wish is to be allowed to do as they please, and that they hire the wardens to let them alone?

I can show another way of explaining the matter without necessity of claiming that this ugly charge is correct; but it will be very much for the advantage of sportsmen who come here to disprove it themselves by demanding that good and trusty wardens be placed in the woods

next summer. If they do not do this before next July, very few in this State will disbelieve the charge. If I seem to neglect the fact that people from outside the State have been fined before now, it is not because I have forgotten it; this is a broader matter. For the half of the year when non-residents are here and the laws are constantly violated, no attempt is made to enforce them, as we know and the Commissioner admits; for the half of the year when few except residents are in the State, they are at least partially enforced. The people here demanded that the laws should be uniformly and justly executed, and yet matters have grown worse every year. It now remains for the summer visitors to state openly whether they wish them enforced in summer, and to do it over their own names, so that we may know who they are. For every one who comes here is known by a larger circle than he is aware of. He sees very few of the residents, knows next to nothing about them, and thinks that they know as little of him. On the contrary, no one comes here whose whole cruise is not known by at least twenty residents, sometimes by hundreds. What he has seen done and said, what kind of a man he is and all the particulars concerning him, are told from one guide to another, are discussed in a dozen lumber camps during the winter, are told again on the drive in the spring, and then are carried to a score of different towns to be talked over by the inhabitants. Instead of being done in a corner, what he has done is better known than if it had been published in the daily papers. Next fall is to be the decisive time in game matters in this State, and it is necessary that those who speak should speak right and then should live up to their professions.

Of the charge of unconstitutionality of the laws I will not now speak, since as I understand it, it is directed rather against interpretations of the laws than against their explicit meaning as they are printed, and the present discussion is a consideration of matters affecting sportsmen from outside the State rather than local topics.

A subject of much interest to sportsmen, if they could hear it discussed as it is here, is the way game matters are managed in the Legislature. Abundant discontent prevails. It is claimed that petitions sent in by the people are disregarded; that officials are bought up, that log-rolling and wire-pulling are openly practiced, and worse practices are carried on behind slight screens, while the whole is controlled by railroads, hotels and politics. That these charges are unreasonable and exaggerated is not to be denied; that they are baseless is another matter. We have only too good reason to fear a substantial truth at the bottom of some of them; for, speaking plainheartedly, non-residents have too openly declared an interest in our game legislation for us not to take them at their word. Mr. J. F. Sprague, of Monson, Maine, writing in *FOREST AND STREAM* in October, 1888, says of the sportsmen who came here at that time:

Instead of these laws failing to secure the approval of this class, they have ever been their truest and most staunch and reliable friends, and in more than one instance these "professional men" from other States have inspired or originated the acts which are now the very laws so despised by "Olibo."

In the *FOREST AND STREAM* for Oct. 30, 1884, "Special" writes:

The request to change the beginning of the open season there [in Maine] to Sept. 1 will come from some of the leading sportsmen and friends of game protection in Massachusetts, Rhode Island and Connecticut. \* \* \* The request for change will come from sportsmen who desire to add shooting to the fall fishing.

Rev. Newman Smythe in *Scribner's Magazine* for October, 1890, says:

Efforts have been repeatedly made by the Kineo Club to have the laws so modified that, while the wholesale slaughter of deer and moose may be prevented when they are helplessly yarded in the deep snows, some opportunity for legal shooting may be granted somewhat earlier than October; and a bill which was introduced into the last Legislature of Maine for this purpose, passed one branch of that body but was defeated in the other by some influence adverse to sportsmen. Gentlemen who take to the woods in summer generally denounce, and are quite ready to help expose indiscriminate and wasteful killing of fish or game; but as in the course of the season they bring considerable money into the State, they naturally think that some liberty might be granted them of feeding.

It is the same old story of crust-hunting, and the amount of money left; and we notice that the gentlemen neither wait for the law to be changed nor for open season to begin, so we fail to see what difference it makes.

Then we hear the other side from our representatives, how they were approached, how the lobby was too strong for them when some popular measure came up; of the bills that failed to pass, and the people who were there to get them through. One bill I remember, as reported by our own representative as long ago as there were pigeons in the State, tried to make it a State prison offense to fire a gun within 200 yds. of a pigeon bed owned by a certain game club from out the State. We have heard the boast of the man who declared that people outside the State could pass "any reasonable laws" in Maine. We have heard Mr. Stilwell say, when he was opposing an open September some years ago, that "the men and the means" were there to put the bill through. On the whole, we are "over canny" to disbelieve those who say that our game laws are fearfully and wonderfully made.

We do not deny that many of the bills introduced and advocated by those outside the State, make good laws—better perhaps than we should have made for ourselves; but the fact that they did not originate here arouses suspicion of their import, and, to our minds, makes the moral obligation less. Even if it were all good and disinterested, we have had too much of it. If for ten years Maine people had besieged the New York Legislature with bills proposing this and that means of purifying the municipal affairs of New York city, and had concerned themselves in season and out of season in telling New York people what to do about it, much the same state of feeling would exist there toward us that exists here to-day toward those who have made our game laws for us; and however good the measures proposed might have been, they would hardly be called popular measures, nor the reform a popular reform.

How much has been done by those outside the State we cannot say; but if our present trout law was a native production it is the oddest bit of legislation with the oddest history of anything ever produced here. One thing I do know, for I was a child at the time and frequently saw the man most active in it, heard him talk on the subject and remember the particulars. The law forbidding the killing of moose for five years was proposed, drafted and principally carried through by a Massachusetts man, Mr. John M. Way, who published the first tourists' map of Moosehead Lake. It was a good law

and was very well supported, but was hardly a popular measure, and was not primarily intended to benefit the people, but to increase the number of moose available for sportsmen. Mr. Way saw the need of this. The previous winter he had stayed six weeks at Haymook Lake in the camp of Mr. Gardiner G. Grinnell, of New York, and Capt. Samuel Cole, of Greenville, trying to kill a moose illegally. To illustrate how the law was passed let me quote from a private letter written by a prominent game club man to Mr. Way, who showed it to my father: "Don't get up petitions, for that will stir up the opposition of the country members. Get the right men at Augusta fixed and rush it through, for it is hard to unmake a thing after it gets to be a law."

This is not the kind of legislation that does much good here, and friends of game protection will be doing a favor to themselves and us if they try to discourage it.

FANNIE PEARSON HARDY.

ERRATUM.—I notice that by a mistake in copying my last paper I wrote that the caribou horns were sold to the station master at Mattawamkeag, when I should have said at Kingman, which is the next town above.—F. P. HARDY.

#### LASSOING A BEAR.

VENTURA, Cal., March 25.—*Editor Forest and Stream:* The following is from the *Ventura Daily Free Press* of to-day's issue. I can vouch for its truthfulness, having known Ramon Ortega for sixteen years, his veracity being unquestioned, and to-day, having heard the story from his own lips and examined the trophy. He is renowned as a vaquero and bear hunter. This is the story: "Ramon Ortega lassoed a big black bear yesterday and choked it to death. He is the most noted bear hunter in southern California and several days ago when he began to lose some of his stock on his ranch at the head of the Sespe, some 50 miles from Ventura, he started out to hunt for the thief. Early yesterday morning he discovered him in the shape of the bear, in a little narrow cañon, and although without firearms, so soon as he caught sight of the monster he spurred up his horse and gave chase. It was a short race, for as soon as distance would permit his lasso went circling about the head of the bear and caught him about the neck. A few dexterous turns of the horse soon choked the life out of the animal, and Ortega, as a trophy, cut off one of his paws and brought it to town with him. It measured seven inches across and eleven inches in length. He tells as a fact that in 1864 he and his brother killed 56 bears in one month about the regions where Bardale, Ventura county, is now laid out, and they were all killed the same way as the one yesterday."

Six years ago, while crossing the trail with his ten year old son, to this same ranch, he came face to face with a she grizzly and her two nearly grown cubs. He was armed with a Winchester, but had only five cartridges at hand. He succeeded in killing the three bears with the five balls, the last of which was sent through the enraged mother's heart as she reared to embrace Ortega's son, who had been dismounted by his frightened horse.

A. J. COMSTOCK, M.D.

#### WHY I GO HUNTING.

*Editor Forest and Stream:*

Some weeks ago your Chicago correspondent gave some good advice to overworked professional and business men. I want to add a few words on the subject, believing that my own experience is that of many professional men.

Some twelve years ago I made the discovery that too much office work was using me up. I took too much time to decide questions of judgment and worried too much over the decisions after they were made; found all my work hard work; lost my patience at trivial things; was annoyed at trifles; would not eat or sleep well, and was in a bad way generally. As I came of a long-lived family, I did not propose to give up without a struggle even if the doctors did tell me I had nervous dyspepsia.

I had a fairly good history of my family for a couple of hundred years, and in looking it over made the discovery that close confinement in an office did not "run in the family." I now believe that in a new country like ours we have no type of office men answering to the types of miners, toy makers, cobblers and hundreds of others in the old countries.

At this time a friend suggested hunting, since, living in a small village, although having my office in a city, I could readily find something to hunt. I had been fond of hunting in my youth, but had never done much of it, and none for years. My friend went home with me one afternoon, and I got out my old muzzleloader and tried a few shots at chips thrown in the air. The result satisfied me that if birds were plentiful enough and got up close enough to me they would not all get away; and I deliberately took up hunting as a means of improving my health, and I have stuck to it ever since and mean to stick to it so long as I can carry a gun.

The first fall I went to Iowa after chickens, and found I could do quite well at them. I made no profession of being a crack shot, and so was not annoyed in the least at misses. Never losing my temper I found a great advantage, and being a very industrious hunter I made as good bags as much better shots.

I am satisfied that there are many over-worked men who could derive much benefit from hunting, and would too if they only knew how easy it was to take it up even quite late in life. For the last six seasons I have spent a good part of November in deer hunting. I killed six deer last November, and stopped every deer I should have stopped. The year before I missed a running buck at 50 yds., but killed a doe the next day with as easy a conscience as though some other fellow had missed the buck. Our deer club used to hunt with dogs, and your correspondents may say what they please about still-hunting, but I would rather go out day after day and hear the dogs and hear some other member of the party shoot a deer or miss him, and never see one myself, than to pot-hunt a dozen a day still-hunting. I have killed but two standing deer, and never want to kill another. We never killed deer out of season, as is done all around us by the still-hunters; never killed a deer in the water, and have more deer around our club house than six years ago, and expect to have fine shooting for years to come if we can keep off the still-hunters. We own thousands of acres of land, poison the wolves, put out salt and plant turnips for the deer, and do everything in our power to keep up the

supply of deer. I killed one deer last fall at 200 yds. and one at 225 yds., and felt better over it than I would to go into a farm yard and kill a dozen—beg pardon—I mean, kill a dozen standing deer, as they were both on the dead run over logs and stumps and through brush.

I have added fishing to my list of desirable sports, not because I can get many days actual fishing, but because one can spend so much time getting ready before the season opens and so much time lying about it afterward.

I throw a fly just as I shoot. Plenty of men can beat me at both, but what of that? I can get as much fun out of a few days in the woods, along a trout stream, or on the prairie, as any one. I claim that I can do more work in shorter time and do it better than before I took up hunting and fishing, and there are thousands of over-worked business and professional men who could say the same if they would only give hunting and fishing a trial.

What business has a man whose father was a blacksmith and grandfather a farmer, and great-grandfather a carpenter, perhaps, to think that he can sit at an office desk day after day and not suffer for his foolishness sooner or later? The most extravagant thing a man can do is to work himself sick; the next worst thing is to think he can do good work when out of condition. Plead with your readers to treat themselves at least as well as they do their horses.

DUDLEY.

#### WILDFOWL IN OREGON.—IV.

IT is said that all true sportsmen abhor a pot-hunter, and that no gentleman will pot a duck. But they all do it. I have done it myself. I have seen the best of them sneaking on to decoys, and have had the pleasure of protesting against some of the most blatant taking a shot at mine. A short time ago, in one of my rambles I came suddenly upon a fine flock of mallards feeding in a little secluded pond near Columbia Slough. Fortunately I was not discovered, and quietly drew back where I could study the situation. My imagination came to my aid and I could see the ducks swimming gracefully around, feeding leisurely, entirely unconscious of my presence and the impending danger. I observed that by going around to the left I could come up behind a little clump of willows within easy range of the game. Here was a pudding and no mistake. With the stealthy tread of a cat I approached my unsuspecting victim. I even got down and crawled. I was nearly to the willows and cautiously peered through them to make sure. The first thing that met my view was a dog sitting there under a leaning willow on his haunches demurely looking out over the pond, and the next thing I saw was a man quietly lighting his pipe. To say that I sneaked back and away, clear away from that pond is putting it modestly; and friend H. does not know to this day how near I came to potting his stool of mallard decoys.

The open season for shooting water fowl in Oregon begins Sept. 1 and closes May 1, while in Washington it commences Aug. 15 and closes April 1. Washington has the best law. Mallard and summer or wood ducks are, as a rule, paired and nesting in April and often in March, while the wood duck shooting must be had, if at all, about the last of August. It is a burning shame and a sin to shoot ducks that are paired and nesting, and every true sportsman will refrain from firing at them, law or no law. The laws of this State must be materially changed and then enforced, and the various rod and gun clubs are disposed to urge the matter at the coming session of the Legislature. We hope that some of the Eastern sportsmen will lend us the aid of their influence, and I can assure them that their efforts will be appreciated by their brethren of the Northwest. I have received communications from the secretaries of several local clubs relative to the matter, notably one from Secretary M. E. Pogue, of the Salem Club, wherein he advocates the enactment of a law prohibiting the sale of all kinds of game, and restraining sawmill men from running their sawdust into the stream. Trout are subjected to more grievous abuses than are waterfowl, for the reason that they are more helpless; but both need the strong hand of the law to save them from ultimate annihilation. Ours is yet one of the best States in the Union for wildfowl and trout; but how long will it remain so unless the fowl can have decent treatment and the trout can have pure, sweet water in which to live and multiply.

I will venture the prediction that, unless some prompt and energetic action is taken by those in authority the boy hunters and anglers of to-day will live to see the time when they must fill their game bags with crows and jays, and their creels with chubs and suckers.

And now my dear *FOREST AND STREAM*, in closing these careless letters, I hope that, even if productive of no other good, they will have given Eastern sportsmen an appetite for a more thorough and perfect knowledge of this, to most of them, *terra incognita*.

S. H. GREENE.

PORTLAND, Ore.

#### CREASED.

I SUPPOSE that every boy who has read much hunting or Indian literature is familiar with the marvellous shooting of the long-haired scout of fiction who, whenever he wanted a fresh horse, used to go out on the prairie and crease an animal out of the herds of wild horses, which were always so abundant in the books—and nowhere else. I myself, in the course of a somewhat long experience of wild Western life, never saw any of this "creasing" done, although I once knew of its being attempted by a somewhat loud mouthed and widely-advertised character, who was once a resident of this State and is now a showman. This attempt was not successful. The man shot a little too low and broke the neck of a very handsome wild stallion.

Instances of accidental creasing of game are not very uncommon, however, and I recall one case where this helped out a small party of very hungry men.

There were half a dozen of us, white men and Indians, who had for some days been following the trail of a small war party of Sioux who had stolen a lot of our horses. Partly by good luck and partly by the instinct of our Indian allies, we made a cut off on the Sioux, and just before light on the morning of the fifth day we overtook them, killed four, and recovered all the horses. We lost no men, though we had two wounded.

When we had started on the trail of the Sioux we had taken what food we could lay our hands on, but this was not very much, because we had expected to be gone only three or four days. The consequence was that for the



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## APRIL TALK.

OF right there should be no shooting now, but of pests and of inanimate targets. The killing of a bird in this season of northward migration means, at least, one better bird the less, perhaps two, or a dozen, in the season to which shooting properly belongs.

No right-minded man practices or advocates the shooting of woodcock, quail or any of the grouse in the spring. Why should such uphold the spring shooting of snipe, shore birds and waterfowl? The poor reason is, that the first breed with us and the loss is directly apparent, forced at once upon us, when in early summer days we visit the barren covers, fruitless now, not because of untimely harvesting, but for lack of seed, while the far northern fields, on which the crop of last-named birds are grown, are for the most part beyond our sight and ken. Just as surely as if we destroyed the seed there instead of here, the yearly crop diminishes and less and less of it returns to us.

The only plea for this impudent killing of migrants is, that without it we should have no spring shooting! As if life were not worth living unless one can be killing something from the beginning to the end of the year, and as if it were not better to stay our hands for a season now, than to have nothing to shoot by and by. No, let there be no more spring shooting of geese, ducks, snipe and bay birds. If we cannot be content without the pulling of triggers and the noise of guns, let us blaze away at targets and clay-pigeons. There will yet be left clay to mould others of. And if we want to go hunting, let us go now without a gun.

We shall not find it unpleasant nor unprofitable to take to the woods now for we may be sure that they are pleasanter than the untidy fields. Where nature has her own way with herself, she makes her garb seemly even now, after all the tussling and repts she gave it in her

angry winter moods. The scraps of moss, bark and twigs with which the last surface of the snow was obtrusively littered lie now unnoticed on the flat-pressed leaves, an amber carpet dotted here with flecks of moss, there sprigged with fronds of evergreen fern, purple leaves of squirrel-cup and its downy buds and first blossoms. Between banks so clad the brook babbles as joyously as amid all the bloom and leafage of June, and catches a brighter gleam from the unobstructed sunbeams. So befittingly are the trees arrayed in graceful tracery of spray and beads of purpling buds, that their seemly nakedness is as beautiful as attire of summer's greenness or autumn's gorgeoussness could make them.

Never sweeter than now, after the long silence of winter, do the birds' songs sound, and never in all the round of the year is there a better time to see them when the gray haze of the branches is the only hiding for their gay wedding garments.

If you would try your skill at still-hunting, follow up that muffled roll that throbs through the woods, and if you discover the ruffed grouse strutting upon his favorite log, and undiscovered by him can watch his proud performance, you will have done something better worth boasting of than bringing him to earth from his hurtling flight.

Out of the distant fields come, sweet and faint, the call of the meadow lark and the gurgle of the blackbirds that throng the brookside elms. From high overhead come down the clarion note of the goose, the sibilant beat of the wild ducks' wing, the beat of the snipe and the plover's cry, each making his way to northern breeding grounds. Are you not glad they are going as safely as their uncaught shadows that sweep swiftly across the shadowy meshes of the forest floor? Are you not content to see what you see, hear what you hear, and kill nothing but time?

Verily you shall have a clearer conscience than if you were disturbing the voice of nature with the discordant uproar of your gun, and marring the fresh odors of spring with the fumes of villainous saltpeter.

## THE MAINE GAME SITUATION.

THE Maine game question is so important that it is well worth our while to try to understand it; to learn all we can about it; to hear all sides.

Two classes are interested, residents and visitors. The chief importance attaching to the papers written by Miss Fannie P. Hardy is found in her claim for them that they give the side of the residents, or at least of those residents most nearly concerned. She professes to speak for this class—a class which is less often heard than the other; and she claims that her peculiar opportunities for gaining information and her long study of the subject enable her to represent the views of these people accurately.

Miss Hardy is a daughter of Mr. Manly Hardy, of Brewer, Maine, engaged for many years in fur trading (a business from which he has only recently retired). Mr. Hardy has had an acquaintance wider perhaps than that of any other man in the State with hunters, trappers, guides, lumbermen and other dwellers in the woods, upon whose co-operation the preservation of game so largely depends. More than this we understand that Mr. Hardy enjoys the respect of the Game Commissioners, as a citizen who has always obeyed the letter and spirit of the game laws, even when such compliance involved great personal loss to himself.

From all this it would seem that Miss Hardy's claim that she is qualified to speak for these people is well founded; and if it is; and if she can tell us how the Maine residents look at this game question, it is surely desirable that we should hear what she (for them) has to say. Their views may be full of error, their attitude a mistaken one, their logic at fault, their position untenable, their practices indefensible; nevertheless all these must be accepted as actually existing conditions, which should be taken into account in the effort to provide the remedy and save the game. For that, unless a change shall be inaugurated, the game is going, appears to us to be beyond dispute.

If what is told by Miss Hardy in to-day's issue is insufficient evidence as to the doings of so-called sportsmen in Maine, turn back to the FOREST AND STREAM of Dec. 11, 1890, and read there what "Special" wrote of the wholesale destruction of Maine deer by jacking and dogging and other modes of hunting in the summer months of 1890, and up to the opening of the season, Oct. 1. Ac-

ording to "Special's" report, this killing out of season and by forbidden methods was done by sportsmen from outside the State, or by guides employed for them. His account and Miss Hardy's amply corroborate each other. Their reports and much other information which has come to us indicate that the illegal destruction of large game in the Maine forests last year was practically unchecked, and exceeded that of any previous season.

The result appears to be this: The people of Maine, or at least that class for whom Miss Hardy speaks, having seen the deer and moose thus wantonly killed and wasted by sportsmen in the summer months, have themselves given over all restraint and in their turn have slaughtered the game in winter and without regard to the laws.

This, we are told, is the actual condition of things. We need not now discuss the moral aspects of the case; we have already said that two wrongs do not make a right; but the situation is one that cannot be touched by an abstruse or argumentative consideration of the points of ethics involved.

We confess that we do not at this moment see where the remedy lies. Perhaps Miss Hardy may have one to suggest; or it may come from elsewhere; but we are not without confidence that it will be found, and that the discussion of the question by Miss Hardy and by those who will doubtless follow her will aid in its discovery.

It surely must be discouraging to every true sportsman (and we know many such), who visits Maine, and by his practice, example and influence there strives to awaken among those with whom he comes in contact a respect for game protection and an observance of the laws, to find that after all he is in a minority; for it appears from what Miss Hardy has written that the Maine people themselves have acquired their notions of "sportsmen" as a class chiefly from the lawless individuals who in the close season commit outrages which are abhorred even less by the native of Maine than by sportsmen of better type themselves.

## DEATH OF GENERAL STRONG.

ON Friday last the cable brought to this country news of the death, at Florence, Italy, of Gen. William E. Strong of Chicago, a gentleman who had a wide circle of friends all over the land. He sailed for Europe only a month ago for the benefit of his health, though he was not at the time supposed to be seriously ill. His death was therefore entirely unexpected. Gen. Strong was born in 1840 at Granville, N. Y., but during his boyhood his father removed to Wisconsin, where the son studied law and was admitted to the bar in 1861. At the breaking out of the war he raised a company of troops and saw much service, passing through the various grades of promotion from Captain to Brigadier General of Volunteers, which brevet he received March 21, 1865. Gen. Strong was Inspector General of the Freedman's Bureau from May, 1865, to September, 1866, and then became Secretary of the Peshtigo Lumber Co. of Chicago. In 1873 he became President of that company, and occupied the position until his death. He was Sergeant-at-Arms of the Republican National Convention which nominated President Garfield.

General Strong was an ardent sportsman, and had a great deal of experience in many kinds of hunting. Years ago he was a most successful prairie chicken shooter, and did much deer hunting in Michigan. He was an intimate friend of President Arthur and General Sheridan, and accompanied them on many excursions into what used to be the wild West. He was with the Presidential party which in 1883 made the trip from the Union Pacific Railroad north through the Yellowstone Park, and one of the camps made by this party on Snake River, not far above Jackson's Lake, is still known as Camp Strong. General Strong was a most genial, kindly man, and was warmly esteemed by all who knew him.

At the meeting of the Massachusetts Fish and Game Protective Society last week 170 members and guests were present. New England uniform game legislation was the topic discussed, without definite result, the general opinion being that it would be difficult to make the game and fish seasons the same in the several States.

SOUTH SIDE CLUB TROUT.—The first day's catch at the South Side Sportsmen's Club was 556 trout weighing 541bs.

will go cautiously, and wade the stream and come out by the edge of the woods and see what he is doing. Then I will pass up by the side of the fence to another pair of bars and take the moss out of the bell and tinkle it.

This plan was carried out to the letter. I knew there would be a stone wall between myself and the bull of at least 4 1/2 ft. high by 4 ft. broad. So I walked to the edge of the woods and looked out, and there was the bull quietly waiting for the strange cow to appear. He was 200 yds. from me now, and when I got to the upper bars he would be 500. Here I determined to have my fun. The moss was taken from the mouth of the bell and I gave it three or four tinkles. That was enough. Again he came as fast as he could, while I plugged the mouth of the bell and made off in very good time. That is the last I saw of him.

The bell experiment is one that I do not care to repeat. It was too successful as a help to stalking partridges and too dangerous to one who has no ambition to engage in a bull fight.

STILLABOY.

MAINE'S NEW LAW.

THE Maine Legislature has adjourned, and the game laws have been vastly improved in several respects. Deputy sheriffs, constables and policemen have been empowered to enforce the game and fish laws. Any of the officers or any game warden can arrest without process any person at any time if found breaking or having broken the laws, but he is bound by a heavy penalty to use all diligence in bringing the arrested parties before the nearest trial justice for examination. All trial justices are also empowered with jurisdiction of such cases. The law against hounding is made more plain and stringent, and dogs that are known to be in the State or kept for the purpose of hunting moose, deer or caribou, may be destroyed and the owner fined. Cow moose are protected at all seasons by a fine of \$100. The having in possession of any game in the legal close season is made a penal offence, but provision dealers, having a place of business in the State, may have on sale at retail during the open season, one moose, two caribou and three deer, which they are permitted to retail to their trade. When these animals are used up they may replenish their stock with the same number again. Transportation is forbidden of moose, deer or caribou in the State, except openly and properly tagged with the owner's name and residence. Transportation of partridges from the State is forbidden at all times. These birds can only be had in possession to be used in the State, and then no person is permitted to have more than thirty at one time.

The fish laws have been so amended that the spoon hook, for taking trout or landlocked salmon, is not prohibited, or at least it is not included in the list of prohibited articles, as it was in the old law. The new law gives the proceeds of fines for infractions to the cause of fish and game protection in the State. These fines do not go directly to the wardens or Commissioners, it is true, but the trial justice who imposes the fine must immediately pay the money over to the county treasurer where the case is tried, and the county treasurer must in turn immediately pass it over to the State treasurer, who must accredit to the fish and game fund, to be used in enforcing the laws. This gives the money virtually for the enforcement of the laws, but removes it from the nature of a bribe direct to the wardens and officers. Perhaps this is well, for the reason that there has been a good deal of complaint in the past that the zeal of wardens and officers has led them to commit injustices for the sake of a share in the fines. But the incentive of a reward direct is removed. The game and fish wardens are to be appointed by the Governor and Council, on the recommendation of a majority of the three Commissioners, and they are to hold office for three years, unless sooner removed for cause. They have the same power as sheriffs, so far as the enforcement of the game and fish laws are concerned, and receive the same pay. It is also provided that no person shall use any sort of explosive or poison for the purpose of taking fish, under a penalty of \$100 and two months imprisonment in the county jail for each offense.

SPECIAL.

"PA'TRIDGE."

FRANKFORT, Ky., March 22.—*Editor Forest and Stream:* A writer in your issue of March 19, from Kirwin, Kansas, asks the difference between ruffed grouse and partridge or pa'tridge. Your reply, to my mind, "ain't altogether satisfyin'"; as Jeems Mackerel would say, after feedin' on pickerel, "it don't altogether fill the aching void."

I've hunted partridge since I was old enough to lift a gun on a straight line—and don't know but what even before that I rested on a stump or rail fence to get a bee line on a squirrel. But the partridges I hunted and the ruffed grouse or partridge you are talking about are not the same thing, by a long jump. In our country—down here in Old Kentuck—partridges, except in mating season, go in flocks or coveys from 8 or 10 to 15 or 20. Some people call them quail—that is, people from other States, and what right have they to name our game birds. Hasn't a man a right to name his own children and his own horses, and why not our wild game? If your mind is bent and fixed on calling a ruffed grouse a partridge, and nothing else, why can't I call a partridge a partridge, and nothing else?

Seems to me there is in your reply a scent of boyhood days coming across the clover. That's the way you were born and raised, and that's the way, consequently, you are going to have it. Well, I was born and raised where ruffed grouse were never heard of and where the thing you call partridge were never known—unless it was hiding under the nick-name of "pheasant." May be it was.

Down here we call a little striped animal that is found in the Michigan woods by the thousand—a ground squirrel. Up there they call him a chipmunk. Down here we call a little stream 6 ft. wide a branch or creek—up there they call it a river. Down here we call a pool of water 100 yds. long a pond—up there they call it a lake. Down here we call a brown-colored, long-billed, uneatable bird that hangs about muddy banks a "shite-poke"—up there they call it a water-hen. Down here we call a comely, eatable fish with a full optic and golden, hickory or lead color, a salmon—up there they call him a wall-eyed pike. When "Kingfisher" was ruminatin' down in Tennessee a year or two ago he caught a fish known universally down there as a "jack-fish." Sending it to one of your big scientists, he pronounced it a "muscalong."

Now, who's goin' to give way and surrender his natural

born rights? I've seen partridges by the thousand and killed 'em by the hundred—in fact, with the help of another Kingfisher, have killed as many as 20 out of one covey (nary one on the ground) and what's the use saying they weren't partridges? If a ruffed grouse can be a partridge, why can't a partridge be a partridge?

I believe in equality on game matters—equal rights to all and exclusive privileges to none. If a Kansas man calls a certain bird a ruffed grouse and the FOREST AND STREAM calls a certain bird a partridge (in the memory of shootin' days) and a Kentuckian calls a certain bird a partridge—who's right and who's going to win the pot?

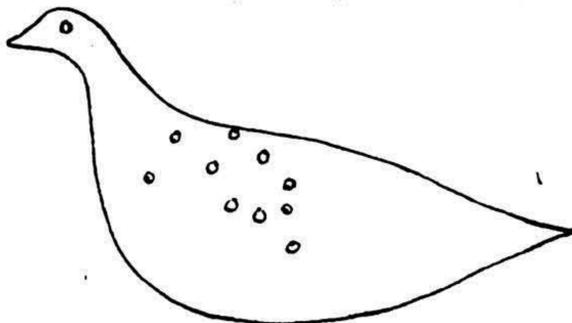
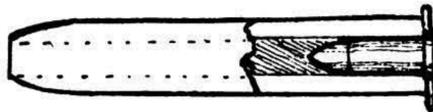
It don't make any difference if the birds are not exactly alike. What I'm after is, who's got a right to give the name and call them by the name they give? Aren't we all sovereigns—and can a sovereign be hampered on the matter of partridges? From the time I was born till I got to readin' books published somewhere else, I never knew the plump, neat, shy, quick, toothsome bird we found in the stubblefields, woods and brier thickets as anything else than a partridge. I claim that name as a natural, indefeasible, undyin' right that shall last forever and ever. If a woman on "Hell-for-Sartain" Creek, in Kentucky, calls her offspring that kicks and yells as she spansks him, a "brat," and an Indiana woman calls her off-spring "a baby," and a New York woman calls hers "an infant," and a Montana woman calls hers a "pappoose," who's goin' to hinder 'em or make 'em afraid? Who's goin' to swear they don't know what they are talkin' about? If there's any discrimination at all, it ought to be given to the one who can show he first named the bird and gave it identity, and let him crowd out the balance. If that proposition is accepted I'm goin' to strike for Dan'l Boone, and Simon Kenton and the other buckskin fellows who came from Virginia, until I reach George Washington, and that ought to settle it. If Noah Webster is mixed on the partridge question, as our Kansas friend says, ain't every other man entitled to his free opinion in this glorious country of ours?

Why, up in Varmount they call a cow a ke-ow; down in East Tennessee they call a regiment a reegement; over in Indiana they call pies cookies; up in Pennsylvania they call a polecat a skunk; over in Connecticut they call a bar a bruin; and in West Virginia they call silver perch by the name of Campbellites. Then what's to hinder me from stickin' to things as they were and callin' a partridge a partridge, or if you want it that way for euphony sake, a pa'tridge? OLD SAM (of the Kingfishers.)

[Reference to a map of the United States hanging on our office wall shows that Rockingham, N. C., lies southwest from Frankfort, Ky., in a beeline less than the width of this line of type. If "Old Sam" will buy a ticket for Rockingham and there hunt up our correspondent "Wells," he will go back to Kentucky and ever after call his "partridge" a "Bob White."]

TO HELP OUT THE POT.

At a recent dinner of the Boone and Crockett Club Mr. E. P. Rogers, of Hyde Park on the Hudson, exhibited a very neat device, of his own invention, by which the big game hunter can without change of rifle shoot birds without making noise enough to disturb large game that may be near at hand. All large game hunters know that it often happens that days may elapse after starting into the woods or mountains before any fresh meat is killed. It is therefore the practice of some hunters to carry a shotgun or a small rifle for the purpose of killing grouse, which are frequently met with in hunting. It is a bother to carry a shotgun, which is very noisy, and it is a bother too to carry a second rifle. To do away with the need of a second gun Mr. Rogers invented the attachment which is figured below.



It consists of a solid steel shell with a chamber in the butt large enough to hold a .22cal. shell and a rifled bore, very short it is true, yet long enough to carry the .22cal. ball with reasonable accuracy for a distance of 10 or 15 yds.

Mr. Rogers has used this apparatus with great satisfaction and success, though of course the range of the little ball is comparatively short. This is not important, however, when we consider that in a wild country birds, whether they are ruffed, blue or Canada grouse, are extremely gentle.

With regard to the device Mr. Rogers writes us as follows:

When hunting in the Rockies and Canada, it has been a source of considerable bother to have to lug along an extra outfit for feathered game, generally a .22cal. rifle, and while moose hunting one fall, when there were lots of partridges about, it occurred to me that a reducer could be made that would obviate the above difficulty. The accompanying sketch of a grouse illustrates its success and its execution. The reducer shown herewith is for my .45-85 rifle. It is 2 1/2 in. long and weighs 1 1/2 oz. It discharges a .22 central fire cartridge. I carry 4 to 6 of these steel shells loaded in my belt with the larger rifle shells, and before the last one is fired my Indian can have the discharged ones reloaded and ready again. I have fired over 100 shots from one reducer. I should never think of going after big game without a supply of these useful little fellows to "help along the pot."

SIX YEARS UNDER MAINE GAME LAWS.

IV.—ON THE WASTE OF GAME BY SPORTSMEN.

*Editor Forest and Stream:*

I think that in my last paper I brought forward evidence enough to show that sportsmen from outside the State have been influential, if not mainly efficient, in bringing into the code of Maine game laws many of their present features. I asserted that, though equally responsible with us for the proposition and framing of these laws, sportsmen as a class had brought discredit upon themselves by inexcusable violations of the laws, involving the waste of large quantities of game and that, moreover, though this was known, they had not been held to account for their deeds in the same way as residents of the State—two circumstances which have aroused bitter feelings against sportsmen, the first because it is a direct affront to our ideas of economy, the latter because of its unfairness.

That laws have been proposed and partly carried through by outsiders no one will have the temerity to deny in the face of the facts that might be furnished, but it may be claimed that I have not proved either the waste of game by sportsmen or the partiality in the execution of the law. For the latter, since the Commissioner's silence may be taken as presumptive proof of the assertion, it is enough to ask if any one ever knew a sportsman, visiting in the summer or fall the section of which I write, to be arrested on evidence that the warden gained personally in the woods without the aid of an informant, excepting only that case at Gassobeeis where the three wardens arrested, by mistake, on a warrant sworn for "Jonathan Darling and others," three sportsmen who gave their names as Doe, Roe and Poe, supposing that they were capturing Darling also, who proved not to have been of the party at all. Rarely wardens have gone into the woods in the fall to make seizures of hides, and a few times to Nicatowis to watch for Darling; but none have been stationed at important points to patrol the game country and prevent the illegal destruction of game. Prevention never has been sought, but only the occasional capture of an offender after the harm was done.

On the former of the two points—that sportsmen kill large quantities of game illegally—I can satisfy even the sportsmen themselves. They will hardly challenge the statement that nearly all the game that is wasted is killed by non-residents—in summer, sportsmen; in winter, Canadians. But before taking up this point, a word may be necessary to explain why residents of the State seem to put less stress on the illegality of breaking game laws than on the wickedness of wasting game.

In our eyes, however good it may be, a game law is not founded on moral distinctions; to break it is a misdemeanor, but not a crime nor a felony, and no wrong is attached to the violation when it is done to supply necessities. At the most, it is a transgression of a standard put up arbitrarily, whose violation involves no moral wrong doing, except the technical one of acting differently from the tacit agreement made at the time of its enactment. That this is a wrong is not to be denied; but here comes in one of the bad effects of having laws of doubtful origin. With the increase of the conviction that our laws have been tampered with by those outside the State, has spread the denial of the moral authority of those laws, until at present it is frequently asserted that it is not wrong to break a law which was not made by one's representatives. That the laws are good, in the main, does not materially alter the public opinion on this point. The present situation is sometimes compared to that in Boston just before the Revolution, and it has been not unwittily said that the cause of the discontent is the same as then, *taxation without representation*. Be that as it may, there is very little compunction felt here about breaking a game law when any one wishes to do it—sportsmen and residents are at or in this. But the residents are restrained in one way which does not seem to affect visitors. The people of Maine consider it a sin to waste food. They might break the law with untroubled consciences; but they could not persuade themselves that there is any excuse for wasting what they got, even if they obtained it legally. Sportsmen evidently do not feel so, and here arises a difficulty. To illustrate: We can understand perfectly the temptation to a sportsman who sees a cow moose splashing through the lily pads a few rods away—how the destructive instinct of curiosity, as in a child, almost forces him to shoot unless there is a wholesome certainty of detection and punishment—that is the temptation to an illegal act. But how a man can shoot at a moose when he knows he can use but 50 lbs. of the meat and that he must leave several hundred pounds equally good to spoil, is beyond even our imagination; that is a positive sin, and if the man is a man he will not do it. We never forgive those who have done it. We never quite trust them afterward. The man who has not sufficient self-control to hold himself from taking life unnecessarily, lacks the poise which makes a man well-balanced and trustworthy, and by a subtle undercurrent of thought is set down as lacking courage also. He is a "sport" (the word is abominable, but it supplies a lack and tells the kind of man meant and the feeling entertained toward him).

The mistake that seems to have been made by many visitors is that they have paid for the game and are at liberty to get as much as they can—as if it were a lottery, the amount of the prize not depending on the value of the ticket but the luck of the drawer. We claim, and we certainly are right, that they have paid nothing at all for the privileges they enjoy, and have no right to any more of the game and fish than they can use or legally carry away. They have paid the railroads a certain sum—for transportation; they have paid the hotels—for board, which they must have paid at their homes if not here; they have paid the guides—but it was for transportation and personal services. If they had been capable and willing to undergo the hardships, they might have walked hither carrying their own packs and eating wayside berries, with theoretically no expense to themselves. Would they have been paying for the game then? Not one cent has any one paid for the right to fish and hunt; it is a gift from the people of Maine. We say that the sportsman has no more right to kill game on account of what he pays out while he is here, than he has to shoot farmers' sheep and cows when he is on a railroad train on the score that he has paid for his ticket and meals. Whoever owns the game, the man who lives outside the State certainly does not; but he is given the same rights which the prob-

able owners assume for themselves—the right to feed himself economically at a certain season, a limit being set which is supposed to be liberal enough to provide for all his necessities. It is considered here that it is an un-courteous act to take all a man has because he offers all any one wants; and so when a sportsman kills a moose where a deer would serve him, or a deer when trout and partridges would suffice, he is doing a wrong act even though the law allows it, and an outrage to hospitality.

This is the ground of objection to waste of game: First, morally wrong; second, ungrateful. That the charge of sportsmen wasting game is not unfounded will be proved. Instead of giving individual instances for each year, I will abbreviate by quoting from the Commissioners' reports and FOREST AND STREAM, when I know that the statements agree with facts that have come to my notice.

The Commissioners' Report for 1883 says:

We have been credibly informed of three moose wantonly shot down in hot August weather by a party of whites (we will not class them) when even the trophies could not be pleaded as a temptation, as but one bore horns. Of other as flagrant cases, committed in the same region, we are in possession. The destruction of this valuable game is greater by residents of other States than by our own, while arrests and convictions are mostly of our own citizens.

The Commissioners' Report for 1884 says:

All the severity of remark that the Commissioners felt warranted in uttering last year in relation to the acts of summer visitors, has been more than borne out, more than confirmed by the experiences of the year. \* \* \* We again repeat, the meanness and infamy of the acts seem to be in almost direct ratio to social position, education and profession. \* \* \* The law has been better observed by our own citizens than by visitors from other States.

This is supported by what "Special" says in FOREST AND STREAM, July 10, 1884:

Concerning game protection in some sections of Maine, matters are not just what they should be. \* \* \* Just such sportsmen are causing the friends of game protection a great deal of trouble. They demoralize the worst and lowest class of the guides with their money. They care nothing for the future of the game; they are not citizens of the State; their only object is to kill a deer or a moose and come home to be regarded as a great hunter by their friends.

In FOREST AND STREAM, Oct. 30, 1884, "Special" says:

There has been some hunting of deer with dogs, but generally by persons living out of the State, and the law fails to reach a poacher of this class. He kills a deer in close time or with dogs and escapes from the State; his crime is regarded as of too small magnitude to bring him back by requisition, and he steers clear of Maine soil ever after. \* \* \* A few cases are also being worked up by the authorities where deer and caribou have been killed before the season opened. These cases are also generally from out of the State.

Because the Commissioners and "Special," who has always exactly reflected their opinions, have ceased to speak thus plainly, it may have been supposed that the evil has ceased within a few years. It has not. It has increased proportionately to the increase of the visitors if not faster. Fish, it should be said, are not wasted as formerly, but in the palmiest days of skin hunting the slaughter of moose sometimes was no worse than it has been this year, and fewer deer and caribou were killed then because there were almost no deer and caribou in the State. Leaving the gap between '84 and '88 because it would take too long to give the history of those years, I may come to what I have seen myself in 1888 and 1889. Of course, my own experience is very limited, and would be worthless if not borne out by the testimony of many others.

We were in the woods these two years in the months of August and September, when it is illegal to kill any game animal. We traveled as rapidly as possible along the main routes, not going into the side streams and remote places where sportsmen were going and were at that time staying in numbers, and where they did most of their hunting. We endeavored to ask no impertinent questions of those we met about their business or what they had seen. And yet in 45 days, of which 5 were Sundays, when we did not travel, 8 were spent in travel on railroad and steamboat, and 7 days' time lost by foul weather or other circumstances which kept us within a few rods of the tent, leaving 30 days of actual travel, we knew of fourteen violations of the game laws, which may be tabulated as follows:

Four deer, wholly saved, by residents of the State.

Two deer, at least partly saved, one by resident, one by non-resident.

One deer, probably partly saved, and probably by residents; the names were left, but not where they lived; the size of the party would indicate that most of it was eaten.

One deer, mostly wasted, by sportsmen from New York.

One caribou, all wasted except one hip, by sportsmen from outside the State.

Two deer, without even a pound of meat cut from them, killed by "sports."

Three deer, moose or caribou, not seen but smelled. From the stench, probably the whole, or nearly the whole, was wasted; from the location, off the line of travel of residents and far off from any houses, probably killed by sportsmen.

All but the last five were actually seen, and of the last three we had sufficient olfactory evidence; the two deer wholly wasted were shot between Aug. 22, when we passed down the West Branch, and Aug. 27, when we returned to Chesuncook, where we were informed of the case by one who had examined the deer carefully, and said that they had no mark on them except the bullet holes. We also saw trout and whitefish left to waste—not even thrown into the water where the eels could get them.

This is my own experience. I have compared it with that of others, and will present some extracts from letters giving the opinions of men whose information is probably as great as that of any man in the State.

This comes from an experienced woodsman, not a guide, living at the foot of Moosehead Lake, and so situated that he knows what is done in the woods at all seasons:

I think there is a great deal of large game killed and wasted by summer visitors. What is killed by our own people is made good use of, which is far better than some of the sportsmen do, as they shoot it down and never touch it. I don't think there are many fish wasted by sportsmen; the guides look after this pretty well.

This is from the head of Moosehead Lake, a point which seventy-five out of every hundred who go into the great game country of the West Branch, Allegash, and East Branch must pass. It contains a good word for sportsmen which I am happy to repeat. The writer's knowledge and veracity cannot be doubted:

It is my opinion that ten times as many moose and deer are killed in the summer months as there is killed in open season and crust-hunting together. There is a growing tendency among the better class of sportsmen to come in the open season. There were more parties left Kineo for the woods after Sept. 25 this year than any two years before.

One reason for this probably was that the full moon came very late in the month, which made moose calling begin later than usual.

This comes from the neighborhood of Chesuncook:

Nine-tenths of all moose killed here and near Chesuncook are wasted except skins. I knew of the last season of more than twenty-five moose skins being taken out to sell and only a part of them were brought out to use.

It may be said that probably most, if not all, these moose hides were taken by one man who stays around Chesuncook. He has killed this year certainly twenty, probably thirty moose, and some reports which investigation has disproved would make the number much higher. This shows who kills the moose? Hardly. As usual the man is not a native of the State, but in this case happens to be a bummer from the Provinces. Our native-born white hunters do not kill game to waste. As the man who wrote the letter quoted from above, says:

People living here, citizens of the State, do not kill to waste, but Canadian hunters do, and most of the moose hunters are Canadians.

A guide who has been a great deal on Passadumkeag waters, writes:

Last summer more than one hundred deer were killed and wounded on the Passadumkeag Stream in the months of July and August, and I saw lots of them rotten on the shore.

Although not so stated, this must have been done principally by sportsmen. The doggers do not go to work so early, and do not run deer into the streams but into the lakes. The fact of the deer being killed on the stream shows that they were shot while feeding in the water. Settlers would not have left the deer to spoil after killing them. I have been told of two sportsmen who went to this region to fish in July, and who killed six deer in spite of all that the guide could do or say against it. When we were in there we saw no sign of waste, except the fore-quarters of two deer which had been skinned out and left. Most guides, it may be said, would not call this waste, because the fore-quarters of a deer are small and light compared with the "saddle," and are not as good meat.

Instead of quoting what I have received from Aroostook, I prefer to repeat what some one who signs himself "Backwoodsman" writes in *Shooting and Fishing* for April 2, 1891; the sentiments are the same:

Almost all of the violations of the law in summer are done by tourists and fishermen while going the rounds of our lakes and rivers. They are armed with repeating rifles, and shoot at every living thing they see, whether it be a nursing doe or a chickadee. This is no fancied sketch, but plain, unvarnished facts, and I claim these are the most despicable of poachers; for what they kill is left to rot; while the native crust-hunter usually takes his ill-gotten gains to his family, and in a good many cases is the only meat these poor folks have through the long, cold winter. The latter class are the ones usually caught, as they make more tracks in snow; while those on the water, in a canoe, with a good fast purse to bribe the guide to silence, go unpunished. As a general thing, there has been more poaching the past winter than usual. The law violators attempt to justify themselves by saying if they do not kill the game, the tourist will.

It certainly is true that more game has been killed this winter in close time than for many years, but it has not been by accident nor entirely because the snow has been deep. It is an avowed retaliation for the enormous waste of game last summer and fall by sportsmen. In November I knew as well that it would be done as I do now that it has been done. Any one who was in the woods last fall could not fail to predict it if he knew anything about the waste and the feelings of the people. And next winter the same will be repeated unless sportsmen reform very suddenly.

Concerning the waste of game in 1890 by sportsmen, it is enough to say that it has been unparalleled. Without touching at all upon what has been done the length and the breadth of the State, I will give a few facts regarding what has been done in the immediate neighborhood of Chesuncook Lake. And I will quote from only two men, who write only a part of the cases they have known this year. I asked only these two in that vicinity for information because there was danger, if I asked many, of getting the same instances repeated again and again and thus making the case appear worse than it really was; for, of course, no one could tell whether five independent witnesses going to these different ponds and lakes saw the same cases of waste or different cases, without going into a more extended investigation than the importance of this case warrants. Therefore I call on but two who tell only a part of what they know and confine themselves entirely to cases where the meat was wasted. The first says:

I went to Duck Pond to get some fresh meat myself and I found three moose dead that had been killed some ten days there, only one hindquarter taken. Mr. Hosford and wife went to Cusabexis Lake on Sept. 25, they found two large ones there left. I saw one left at Mud Pond and at the foot of this lake, and at Harrington other people saw the remains of six.

Here is a perfectly trustworthy man who tells of thirteen moose which he has known to be wasted, and twelve of the thirteen killed on four ponds or lakes lying within the limits of three adjoining townships. He makes no mention of deer or caribou, nor of any cases where only one moose was left in a place, except two which he saw himself. This shows that he is telling the smaller part of what he knows about. But it may be said that, since no particulars are given, a large part, if not all these, might have been killed by Jack Russell, the Nova Scotian renegade, who killed so many last year for the skins. As to the absence of names of the offenders, I particularly stated in asking the information that I wished it for publication and did not want the names; but I think I made it sufficiently clear that I wished to know of cases where sportsmen had done the wrong. We will grant that the above proves only a heartless and inexcusable waste of game; the following shows who was responsible for something similar. This writer knows nothing of what the first had written:

Last August a party camped at Mud Pond landing two weeks. It is a well-known fact that there is not a trout-fishing ground within five miles, but they were within easy reach of Mud Pond, Quaker Brook and Caribou Thoroughfare, three of the best hunting grounds on Chesuncook. This goes to show that it was hunting and not fishing they were after. In Quaker Brook I saw the body of a large deer with only the horns taken, and after they left, the body of a moose and a caribou were found in Mud Pond. Near Sept. 1 two calf moose were killed at Duck Pond by a party; they lay about two rods apart. The hides and a small piece of the meat were taken. Near the last of September a party of sportsmen killed a bull and a cow moose on Cancomgomoc Stream near Little Scott Brook. They camped till October and then brought the hides and head out openly as killed in October. The meat was left. I made a trip to Loon Lake Sept. 1 and saw a dead caribou at the foot of the lake, and got the smell of tainted meat in a number of places on Loon Lake and Hurd Ponds. This is only a few cases of a great many that have come to my notice.

Comment seems superfluous. Here are five moose, two caribou and one deer wasted. Four of the eight were

seen by the writer, and all but one are expressly stated to have been killed by sportsmen; for "a party" does not mean Frenchmen, Indians, residents, nor Jack Russell. If they were sportsmen in this case they probably were in the other, for two of the instances referred to by each man are probably inclusive of each other. The three moose which one saw at Duck Pond probably include the two which the other saw a few days earlier. The moose and caribou which one hears of at Mud Pond probably cover the moose which the other saw there. If so, there is no doubt that sportsmen were the murderers. Here are at least eighteen large game animals, principally moose, wasted in the immediate neighborhood of Chesuncook; and if I say that this is one-fifth of the waste on waters that run into Chesuncook last year, I am putting the statement so low that those who know most about it will laugh at the caution shown. This does not include what was honestly eaten whether summer or winter killed.

Besides these thoroughly trustworthy accounts, various reports have come to me from men whom I know to be truthful, but who did not actually see the game. Two different men tell of a moose wasted at Moosehorn Stream on the West Branch above Chesuncook. One of the best guides in the State tells me that his brother saw a cow and a calf sunk in the West Branch between Northeast Carry and Chesuncook, and two others tell the same thing.

Another correspondent writes me concerning what a guide and hunter told him: "— was telling me that he saw a Boston man that was guided by one Joe —, an Indian guide, who shot and killed eight deer in two days and never used only part of one of them, and then he asked his guide if he could not take him where he could find good shooting; and that was last summer. He said that he saw four big moose lying dead just as they were shot by a New York party, and if this kind of work is carried on we know that our game must play out in a short time. There are lots of moose being killed in this section." This account is almost startlingly like a story Darling published; although differing in some particulars, there is no disagreement between them. I do not present it as being absolutely correct, for I have not investigated it further, preferring, since I had the matter at a point where it would be easy to find out the real facts, to treat it merely as an example of the way that the news gets around here. That there is truth in it cannot be doubted.

If enough evidence has not been presented to show that the sportsmen who come here "have brought discredit upon themselves by inexcusable violations of the laws, involving the waste of large quantities of game," more definite evidence with names and dates can be furnished.

FANNIE PEARSON HARDY.

WHITE DEER AND BAD LUCK.—Negaunee, Mich.—In reading your valuable paper of Feb. 5, I was much interested with Mr. Hough's account of the white deer, as I had the pleasure of seeing one at Humboldt Station in this county in 1874—a 2-year-old buck as white as snow. It was shot by a deer hunter by the name of Cundy. An old Indian told Cundy it was bad luck to kill a white deer, and that the Indians never kill them as they are the spirit deer. Shortly after that, Cundy was out deer hunting. Somehow or other his rifle was discharged and shot him in the back. He was laid up a long time and came near passing in his checks. There are a number of people at Humboldt that know this to be a fact.—GRIFFIN.

LOOK HIM UP.—All readers of this department are requested to read the communication in our Trap columns of this week, regarding the mysterious disappearance of E. S. Bencscotten, the well-known trap-shooter, late of Shinrock, O. For the relatives of the missing man we bespeak among the trap-shooters of the entire country, and more particularly on the Coast and in the Northwest, every effort to determine his whereabouts or his fate. Let more than idle curiosity govern in this. Will shooters of the Northwest kindly send to this office any information they may have as to E. S. Bencscotten, or E. S. "Brown." He must be found.

NEBRASKA WILDFOWL.—Edgar, Nebraska, April 8.—The shooting has been fine in this vicinity for some weeks. We have had more than our usual supply of the game, by reason of plenty of water in the lakes and ponds. Canada geese, Hutchins geese, brant, snow geese, redhead, mallard and pintail ducks have been plentiful, and some of our hunters have made good bags. One of our hunters bagged a fine specimen of the whistling swan. It was quite large, being nearly 8ft. in extent. We are expecting the dow birds to put in an appearance in a few days.—H.

## Camp-Fire Glimpsings.

"That reminds me."

IT was in the winter of 1870 that I made my first visit to Florida. At that time railroads were not; the Northern tourists were few in number; St. Augustine was a sleepy old town with no Standard Oil king in sight. The alligator basked quietly on the bank of the St. John, and the white plume of the egret gleamed from every swamp. Bears, deer, and turkey were abundant. At Lord's comfortable cottage at New Smyrna were five or six anglers who filled their boats daily with channel bass, sheephead and spotted sea trout. Almost all those worthies have joined the great and silent majority. New Smyrna then contained three houses and a store, and from the head of the Halifax to the Inlet there were hardly 100 people. Daytona I think was laid out that year. A mile below that hamlet lived a kind of naturalist named Chamberlain, who had a cottage on the river bank filled with skins of beasts and birds, and copper jars of alcohol containing fishes and reptiles, which he had collected for Northern museums. Like that of most men who live close to nature, his conversation was interesting and I often visited him. One day he said, "I think you have not seen my alligator. Come with me and I will show you my pet." We went to a small creek about a hundred yards from the river, winding through a hamak. At one place there was a hole under a high bank into which Chamberlain thrust a pole. The reply was a loud and ugly growl. "He is at home but he won't come out to-day." The pet was a good-sized alligator, seven or eight feet long, which C. had partially tamed by feeding

of a 20-bore, and at the same time that 30in. are best for a 12-bore. The latter is usually loaded with only  $\frac{1}{2}$  of a dram more powder than the former. The interior capacity of a 30in. 12-bore barrel is nearly 12 $\frac{1}{2}$  cubic inches, and that of a 28in. 20 bore is very slightly more than 8 cubic inches. If 8 be sufficient for burning  $2\frac{1}{2}$  or  $2\frac{1}{4}$  drams of powder, surely 12 are not required for burning  $\frac{1}{2}$  of a dram more.

Some of our best gun makers and practical sportsmen assert that they get as hard hitting with barrels of 26in. or shorter as with those of 30in. Other makers and sportsmen, probably quite as reliable, state that even 30in. barrels do not give so much penetration as larger ones. Dougal, the London maker, says in his book "Shooting Simplified," that he once made some guns of 36-bore with barrels 36 to 40in. long for an Arctic traveler to take as presents to the Esquimaux, and that these were afterward found to kill wild geese at ranges far beyond the reach of ordinary sized guns.

One of your correspondents who signed his name "Cyrtonix," wrote three letters to FOREST AND STREAM about small-bore guns, and said that he found a 16-bore with  $2\frac{1}{4}$ drs. of powder gave more penetration than a 10-bore with 5drs. If he used a reliable test for the penetration, the extra power of the 16 must have been due to the length of barrels—34in.

Mr. G. T. Farmer, who wrote two extremely interesting articles in FOREST AND STREAM last July, about the Hudson's Bay territory, might be able to enlighten us as to the killing powers of the guns supplied by the company for their Indian trappers. These were when I lived in Canada in 1864, of 26-gauge, and had barrels from 36 to 40in. long.

One point, which certainly ought to be settled, is whether the recess choke or the muzzle choke is to be preferred. I have several times been surprised at writers in FOREST AND STREAM complaining that chokebores do not carry large shot, and especially buckshot, as well as cylinders. Three of my own guns, two 16 and one 12-bore, choked on the recess system, have been remarkably good with large shot, but the behavior of the Maynard 28-bore, and the left barrel of the 12-bore used in my last experiments, make me think that perhaps the complaints are not unfounded as applied to muzzle chokes. The 28 scatters all large shot badly. The left barrel of the 12-bore makes very close and regular patterns with Nos. 8, 6 and 4 shot. It throws No. 3 in patches, and with such sizes as BB or A shot it is absolutely useless. With a moderate cylinder, on the other hand, both the 16-bore are splendid performers with buckshot, whether due to their being recess-choked, or to some peculiarity of their boring, I am unable to say.

The weight of the 12-bore, 6lb. 9oz., will be thought ridiculous in America, but with the ordinary charge of 3drs. of powder and 1 $\frac{1}{2}$ oz. shot it is not unpleasant at a target, and when firing at any game the recoil is absolutely unfeared. Perhaps this is due to there being plenty of metal in the breech and to the barrels' being about the weight of those in 7lb. guns, viz., 3lbs. 5 $\frac{1}{2}$ oz.

Here in England we think that our brother sportsmen in America sadly overload themselves with iron. When a man shoots only for health and recreation he surely ought not to have a heavier weapon than he can carry and handle with pleasure at the end of a fatiguing day's tramp. Of twelve shotguns which I have owned during the last 30 years none ever gave me greater enjoyment than a cylinder 16-bore of only 6 $\frac{1}{2}$ lbs. weight. I used it for years at everything, including ducks, and only gave it up when taking to breechloaders. For all-round purposes, including duck shooting, I prefer a 12-bore of 7lbs., and would not buy one exceeding 7 $\frac{1}{2}$ lbs. at any price, for a gun of that weight will carry the largest charges that the shells will hold without uncomfortable recoil.

J. J. MEYRICK.

DEVONSHIRE, England.

## SIX YEARS UNDER MAINE GAME LAWS.

## V.—VARIOUS MINOR MATTERS.

THE last paper was on an unpleasant topic and needs the relief of the brighter side to prevent misunderstanding, for some will say: Are there no good sportsmen then? And those who have come here and left a record of honorable acts will ask in discouragement, Has all that we have done counted for nothing?

Far from it! to both. There are such honorable sportsmen—to them these papers are addressed. They have done well and it is remembered for them. We look for some of them every year, and are glad to see that they have returned; when finally they shall cease to come, among those who regret their loss most deeply will be some at this end of their accustomed haunts. A man is prized here for what he is, and is judged by what he does; nor need the one who has lived honorably and spoken truly ever fear the judgments of Maine backwoodsmen, or an uncordial welcome to Maine.

I have a curious matter to present, which I can in no way explain without taking into account the influence of such men as these. In the four counties of which I speak there is one that in some ways is so different from the others that at first it would seem it ought not to be counted with them. In area it is one of the largest in the State; in population the smallest of all. More sportsmen go there than to all the other three; and in proportion to its area more such enormities as were described in the last article are committed than in any of the other counties. And yet the residents of Piscataquis county do not, so far as I have been able to learn, either feel or speak upon game matters in the same way as those of the other eastern counties. I have not so far found that they were greatly disturbed by the present unhappy state of affairs. At first it would seem that this county ought to be classed with the western part of the State; but in all its interests it belongs to Penobscot waters, and so a different explanation must be sought. What? In the first place some of the grievances of the eastern part of the State have scarcely touched this county; but even so, why should it not sympathize? In the supposition by which I have been able to explain the matter I may be wholly or partly wrong, but it is the only one by which I can account for a noticeable difference. I think that the character of the summer visitors who go there largely explains it. That county includes Moosehead Lake, Katahdin Iron Works and many other resorts more or less known. It is visited by people who go for recreation, for fishing and for hunt-

ing. Now, of those who go for the two former purposes, a very large part stay at hotels or near enough the settlements for the residents to know them personally or to know of them, and a better class of visitors than most of these could not be desired. The people there form their opinion from these. Of those who go to hunt most pass beyond the settlements into the deep woods, and they are the ones whose misdeeds are so widely reported. The eastern counties hear of these principally—much less of those who stay on the borders of civilization. But Piscataquis people know the latter also, and while no less severe in condemnation of such waste and slaughter as I have reported, do not blame the whole class of summer visitors, but the individuals who are responsible. In this way the presence of these well-disposed, honorable men coming to stay for a time and not merely to pass through the country, seems to me to account in part at least for this manifest difference in feeling, and so to be its own reward. Lest a mistake should occur, I will say that by "sportsman" as I have used it, and as it is used in this locality, I mean those with whom hunting is the principal object—not fishermen nor tourists, but those who wish to kill large game. In using it I do not intend to include any other class of summer visitors. Of those who come for this purpose, observation and consultation convince me that the majority come and go in close time and kill what they get illegally; but there are certain honorable exceptions of whom it would be a pleasure to speak if space permitted, but who surely are no more condemned with the majority than are these others of whom we have spoken above by the people of Piscataquis county.

Lest there should be a misunderstanding on another point, I wish to state again that in what I have said so far I have tried to represent other people's views rather than my own, and to give their reasons for these opinions instead of those which I might hold personally. For my own opinions on most of these matters I conceive to be of little value. That I sympathize fully with the people who say these things is most true, but does not make it necessary for me to believe all these charges correct, even though they may not be baseless. I do not believe that our Legislature is wholly corrupt, nor that the game laws have been unfair, nor that all visitors are lawless and all residents are saints—nor, it may be added, that the people here all think so. What we all hold is that grave wrongs have been done—and I will show some of them in the forthcoming papers—which have greatly disturbed a very large number of people, which have caused loss of property and loss of life, which still endanger both and are fully sufficient to account for all the complaints that have been made and for others yet more radical. I might claim even more and be fully able to sustain it, but this is enough. In the papers which have preceded I have tried to represent the state of public feeling at present, thus preparing by anticipation for those which follow which will tell the causes and deal with facts instead of with theories.

If it should be asked after this part, Where is the good sportsman? it will certainly be asked after the second, Where is the good warden? He is not very abundant here, but in this immediate vicinity we have one man who deserves special mention. Mr. Eben G. Morse, of Eddington, is a warden whose justice, faithfulness and honesty are believed in by the people here. I have never but once heard him accused of doing anything which was not honorable, and that he did not do, although there was reason for the suspicion. I may make this personal mention here, for it is he who has suggested that I should explain more fully some points regarding my article published on April 2, mainly those relating to the holding of game animals alive. This I am the more happy to do, as it may not only bring out some facts clearly, but will illustrate an interpretation of the game law which caused trouble three years since.

Mr. Morse writes: "The law making it subject to fine for hunting and keeping alive is of recent date, and was not in effect nor passed at the time that the deer kept at the Bangor House were caught; and Mr. Beal or any other person, rich or poor, had a lawful right to catch and keep such animals. But later on, and before Davis caught the caribou, the law was amended so as to prohibit the hunting in close time." Mr. Morse thinks that insufficient information was given on these cases, which was indeed necessary at that time on account of lack of space.

Regarding the Bangor House deer, I may quote the following letter from their owner:

"To the best of my memory I bought my first deer in the spring of '83, buying two at that time. The next winter I bought another, and then raised several. In the spring of '84 I bought an albino buck, the other buck having escaped. I had them every year until I sold them in the fall of '88. My impression is that those which I bought were in captivity but a short time. Trusting that this is the information which you desire, I remain, very respectfully, F. O. BEAL."

The point of my reference to these deer was that they were allowed to be kept in Bangor at a time when other people were required to release deer and other animals which they had captured, and that this gave rise to the complaint that one man was favored more than another. The complaint was made. I did not seek to discuss its justice though I tacitly admitted it; nor did I try to give the whole facts. These, as the letter shows, were that one deer was undoubtedly legally held, having been taken before 1883; and that the white one was not legally held as the law was afterward interpreted, though supposed by the owner to be so; that neither was disposed of until after other people had been forced to liberate animals, and that then they were not set free but sold. The facts have borne out the statement which I made. It would be interesting to trace their history from this date.

But respecting the change in the law to which Mr. Morse refers. There was no change in the law from 1883 to 1891, but there was a change in the interpretation which is what Mr. Morse means. This occurred in 1888 or a little earlier, but was not legally established until 1889. Until last month there was no explicit law against holding live game taken in close season, and it very rarely can be taken when there is no snow on the ground. Since our game laws were first originated in 1880 there have been but two passages which could apply to such a case.

Sec. 11, passed in 1878, reads: "Whoever has in his possession the carcass or hide of any such animal, or any part thereof, between the first days of January and October, shall be deemed to have hunted and destroyed

the same contrary to law," etc. Sec. 9 on moose and 10 on deer and caribou (both passed in 1883) say: "And no person shall, between the first days of January and October, in any manner hunt, kill or destroy," etc. The two are not mutually inclusive. On the one hand it is forbidden to kill large game at a certain season, and also to hunt it. On the other it is forbidden to have in possession dead game taken at that time, but nothing is said about live game captured then. If it is legal to have the game alive in close time, why is it illegal to hunt it then for the purpose of keeping it alive? If it is illegal to hunt it for this purpose, why is it legal to have the game so taken? It is evident that all depends on the definition of hunting if we are to construe the law in the strictest way.

But at first it was not so interpreted. For nearly five years it was admitted that any one could capture and keep live animals taken in close season. Hence the keeping of the albino deer at the Bangor House. In 1888, or a little earlier, the opposite interpretation was unexpectedly put upon the law, and it was declared illegal to keep any game animal taken in close time. Did this refer merely to those taken after this decree, or after 1883, or after the decision of the court in 1889? It would be hard to say; but there are a number of instances of animals being let loose before the law court gave its decision on the James vs. Wood case.

The grounds of this change in interpretation are interesting. There was no possible reason except what could be deduced from the one word "hunting." The one who held a game animal taken in close season could be prosecuted for hunting it, but not for having it. As Mr. Morse says: "The having it in possession was not taken into account, only to prove the hunting. I admit that the law did not prohibit having live deer, moose or caribou, if taken in open time or if obtained in any way without hunting it in close time." This sudden change in the meaning of the law caused some trouble. The Davis case occurred about this time, and in the western part of the State there was a famous one which was carried up to the law court—Isaac H. James vs. Thomas P. Wood, a game warden, who, without process, released or caused the plaintiff to release from his own inclosure, a moose and a deer. The moose was captured by Mr. James in March, 1888; the deer bought by him the same month. In the lower court Mr. James was awarded \$125 damages. The case was then carried to a higher court, and the opinion of the law court given Dec. 11, 1889, was in favor of the defendant warden.

Mr. James's moose and deer were set at liberty June 6, 1888. As evidence that the interpretation of the law which allowed this to be done was considered very doubtful, I may say that on Sept. 14 of the same year (1888) I saw a full-grown caribou, with fair-sized horns, confined in a pen near the railroad station at Winn in this county. I was told that it was taken in close season. I was also told that a warden had been sent to release it; that the possessor had refused to allow him to do it; and that the warden had yielded. What became of the animal afterward I do not know. The Bangor House deer were kept somewhat later than this, I am very sure. Mr. Morse tells me that he has known several to pay fines for keeping live game "after it became unlawful," which I understand to be previous to Dec. 11, 1889, as I have heard of none since then, though some who had captured deer have let them go.

In support of my definition of hunting, and to show that Mr. Morse did not proceed as too many wardens have done here in pursuance of plans that no court would uphold, even when he released the caribou on the ground that to put on snowshoes to follow it constitutes hunting, I will quote from the James vs. Wood case, Law Reports 82, Maine 179: "The plaintiff followed the moose in the forest until it became snow-bound, and then, by the use of a rope, tied it to a tree, and finally bound it upon a sled and hauled it some fifteen miles to his home, where he confined it until it was released by defendant. Without doubt this conduct resulting in capture was in violation of the statute. The plaintiff did not destroy or kill the animal, but he did hunt and thereby capture it."

This matter which from one side is unimportant, from another has weight. It shows a law changed from a looser to a stricter interpretation. In my next article I will show another which has had just the opposite history during the eight years past.

Mr. Morse calls my attention to an error in one of the cases mentioned. I wrote partridges "legally killed in December" when I should have said November. I am likely to make other similar mistakes, and will correct them when brought to my notice, if not too trivial or having no real bearing upon the point in question.

Since writing the above I notice the following in the Bangor Daily Whig and Courier, April 25:

"A buck caught at Moose River has been brought to Portland and placed in Deering Park as a companion to the fawn presented to the city by Captain Winslow last spring. A yard will soon be built for them."

If true, this is an ample commentary on what has been said. Are there any deer in Deering Park? If so, by what right? FANNIE PEARSON HARDY.

KANSAS GAME.—Hutchinson, Kan., April 19.—*Editor Forest and Stream:* We have had splendid goose and duck shooting this spring. Trap shooting is getting to be a very popular sport in the West; our State meeting, to be held at Salina, May 19 to 21, promises to be a large one. We have had an extremely mild winter; the quail have fared well; chickens are scarce, but we will have fine quail shooting this fall.—SHADY.

HALIFAX, N. S., April 31.—I was out this afternoon trying my new setter dog. I put up a woodcock, and if you could have heard them "whistling" you would have thought their "outer primaries" pretty well developed for April birds. Killed five sea trout afternoon of 18th; they were a small run, from 1 to 1 $\frac{1}{2}$ lbs.—H. AUSTEN.

FOREST AND STREAM, Box 2,833, N. Y. city, has descriptive illustrated circulars of W. B. Leffingwell's book, "Wild Fowl Shooting," which will be mailed free on request. The book is pronounced by "Nant," "Glean," "Dick Swiveller," "Sybillene" and other competent authorities to be the best treatise on the subject extant.

everything as with a veil. There is an old-time stand of mine only a little way ahead and it is toward this spot that we direct our course. A mighty flock is found feeding contentedly in the very spot where our canvas is already destined to sit, and carefully routing the ducks without firing a shot we are soon located one on each side of the stream with our handsome flock of decoys midway between. M. has not had time to conceal the boat which he has taken to the river before a pair are seen bearing down upon us from up the stream. I am in a trying position, perched upon a tottering log which is constantly threatening to collapse and subject me to a plunge bath, but I cannot resist cutting loose on the head find (an old male) as he passes overhead, dropping him close in shore. No time to pick up my gun, I can see that plainly, for a pair of buff-heads come in with a rush from the north. *Ah-room, ah-room*, a sharp report sounds from each side of the river and goes rolling and quivering through the fog. *Spit, spit*, upon the water follows. A pair of ducks are on the farther side of the river sings out. "And the wind whistled."

One of my boots has sunk in the mud until the top is painfully close to the waterline, and there is also a horrid suspicion dawning across my mind that a certain portion of that garment covering the largest part of my anatomy is also becoming water-soaked. I cautiously reach for a square piece of plank I spy a few feet distant. "Mark south!" comes from the blind opposite; and in my efforts to get in readiness for a shot I slip a few stray drops down boot leg No. 1. Bang! bang! from Charley, and a moment later the other success a shot which nearly proves disastrous to my equilibrium at the same time. A few seconds later I have gained the coveted bit of pine and feel comparatively safe from any further wetting, although I am still far from comfortable, crouching in from 6 to 20 in. of cold water, amid a coarse growth of wild grass. Our ducks are fast disappearing from view down the stream, and it is decided that we had better make a hasty collection rather than lose what we have down. M. is gone but a very few minutes, but upon his return I point out to him four more birds which have fallen. One is a male and 15. M. immediately begins counting our string as soon as he regains his blind, but only gets as far as seven, when I silence him with a "Lookout, north!" for five bluebills are upon us. Our salute cuts down three of the five, and thus the sport goes on. Four geese are noted winging their way diagonally across the river. One is a male and several of fours are sent spitefully upward, and we are favored with a single quill cut from a wing as they pass.

At 7:30 the fight slackens and we take up our decoys and gather in the dead, drifting onward down the river to the club house. Our string of twenty-nine birds fully satisfies us. We have enough for ourselves and our friends, and what more do we want?

E. not putting in his appearance, we hang our birds against the side of the shanty and expose a plate from the Hawkeye upon the scene. The pleasing picture lies before me everlastingly as I write this narrative and serves to bring back vividly each good, bad or indifferent shot made during one of the pleasantest mornings' shoots I have ever experienced.

An eight-mile drive home in the warm April sunshine flows as smoothly as a river. The end, as usual, is as keenly enjoyed as the earlier hours of the day had been. The frogs are still piping their refrain from each and every little pond by the roadside, and there is a suspicious rainy feeling pervading the air. Bird life is jubilant and brimming over with song. Great flocks of red-winged blackbirds are pairing forth their notes from every bush and tree, bluebirds clipper gleefully from the moss-grown rail fences bordering the roadside. Hosts of robins are intent on securing a breakfast from the angleworms every where creeping from the ground. Altogether, the day is one of the most pleasant I have ever known, and it will serve to tide over the long and monotonous hours of dull office routine which the future has in store for us. GREENHEAD.

SIX YEARS UNDER MAINE GAME LAWS.

VI.—ON NON-TRANSPORTATION IN OPEN SEASON.

FOR the plain words to our visitors that have preceded, let us even use Robin Hood's own apology: "Nay, my Lord Bishop," said Robin Hood, "we are rough fellows, but I trust not such ill men as thou thinkest after all. There is not a man here that would harm a hair of thy reverence's head. I know thou art galled by our jesting, but we are all good men to the greenwood, for there are no bishops, nor barons nor earls among us, but only men, so that thou must share our life with us whilst thou dost abide here."

Most sportsmen will remember that we have had a very strict non-transportation law—at least they will say that their impression is such. Of any twelve men here who are interested in game matters, the majority will say the same—a very strict non-transportation law, strictly enforced, recently so modified that game legally killed can be shipped to points inside the State but not outside. It will be generally admitted that from 1883 onward we had a law which practically forbade any deer, moose, or caribou to be transported from point to point, except by private conveyance. Let us hear "Special."

FOREST AND STREAM, Nov. 13, 1884: "It is not pleasant to be obliged to say that the law is not as strict as it was. The transportation law of Maine deer carcasses and even moose antlers do get out of that State and are seen here. A fine pair of deer antlers came through Bangor and were seen at Stillwell when a specimen of venison came through last week. The name of the express company is known which forwarded them and the Maine Commissioners have been notified."

FOREST AND STREAM, Nov. 27, 1884: "Even ex-Governor Connor could not transport a deer, killed honorably in open season, from Bangor to Augusta, and the Maine Game Laws will apply to said Governor, I can do nothing for you under the law."

FOREST AND STREAM, Dec. 11, 1884: "As for venison, there came through from Maine the season before the non-transportation law went into effect and some deer carcasses. The actually rotted outside the Boston markets. Thanks to the good work of the Commissioners, such barbarous and wicked waste of noble game has been prevented. The day passed when the wardens at the large shipping points in Maine seize partridge, ducks and quail in great numbers, and carry them to Boston or New York. The tricks of the poachers are as cunning as they are numerous, etc."

FOREST AND STREAM, Feb. 28, 1885: "The Legislature was also asked to legalize transportation of game over the railroads, when it was rejected by the owner, but no satisfaction to the market hunters or the market."

It is this strong corroboration of the all but universal

impression that the transportation of game was forbidden in Maine at all seasons? To be sure, one man is the author of the whole of it; but he asserts what we all know, that the Commissioners declare this was the law; that the wardens executed it as law; that the people believed it to be law, and that they even petitioned the Legislature for a change.

Let us examine the legal history of the subject. Our first non-transportation law was that of 1878, which read as follows: "Sec. 13. Whoever carries or transports from one place to place the carcass or hide of any such animal or any part thereof, during the period in which the killing of such animal is prohibited, forfeits forty dollars." What was the change in 1883 which every one admits? "From the Revised Statutes, Chap. 50, Sec. 13: "Whoever carries or transports from one place to place the carcass or hide of any such animal or any part thereof, during the period in which the killing of such animal is prohibited, forfeits forty dollars." Has there been a change since? *Book of the Game Laws, 1890: "Sec. 13. Whoever carries or transports from one place to place the carcass or hide of any such animal, or any part thereof, during the period in which the killing of such animal is prohibited, forfeits forty dollars."*

To the self-same tune and words! That is all any one can find in our laws regarding non-transportation at any season. There is not the change of a jot nor tittle, an iota nor a comma in it. For thirteen years now we have had this non-transportation law and no other. Why is it that the Commissioners can do nothing to help the ex-governor under the law? Why is it that the wardens use all instruments to seize game legally killed? Why is it that the Legislature is asked to alter a law which never existed? And how could such a delusion gain ground over a whole State, when there was no change at all in the law and had not been for five years?

It is in this matter that there has been a change in another which seemed to affect this. In 1883 the one moose, two caribou, three deer law was passed. This law, limiting the number to be killed, also made it illegal to have more than the prescribed number in possession, a necessary measure, throwing the burden of proof upon the owner, and making the accuser might be impossible. Whether it was intended to do more than this is not for the unlearned in the law to say; but that the phrase "to have in possession" was too sweepingly interpreted at first there can be no doubt. It is a fair business where in any way a deer in any way was to have it in possession. The strictest orders were given that no conveyance, public or private, should carry, haul, or in any manner convey more than one moose, two caribou, three deer for the season. Stage drivers were warned not to do it under penalty of seizure of a deer as carried in this new game law. I saw one of the shrewdest lawyers in Bangor to another, "is a queer kind of a law. Now supposing I have three deer legally killed, and you have three that you have killed legally, and you have a sled while I have a horse, and you tell me to take my sled and my deer on your sled, the whole six can be taken, can't they, by this law?" The other agreed. When I asked one of them a week ago if he remembered the conversation, he said that he did not, but until he looked the matter up he would suppose that the law would sanction such an action.

But how did this gain general acceptance? More than in any other way by the refusal of the principal railroad and express companies to transport venison. When large corporations admitted that to convey game from one place to another was to have it in possession and gave their business in writing their notes, it was natural for private individuals to suppose that they had carefully examined the whole field. Perhaps they did according to their light, but they could not have had the best of legal advice, for we now know that no transportation company can take what is offered. Neither could our Commissioners have consulted a legal counsel, or they, too, would have known that common carriers cannot be said to have "in possession" what they are conveying. A little investigation would have convinced them that they had no right to interfere with the transportation of an animal. Apparently no such investigation was not given; for for years we have witnessed the curious anomaly of a whole force of special officers, hired and paid to execute the fish and game laws, being detailed to carry out the orders of transportation companies to the first order of the owner, and themselves were unentitled to interfere; and being instructed to enforce the orders not by punishing the delinquent employees, but by confiscating the goods which they received in disobedience to the commands of the company, but which, once received, the company was in honor bound to deliver safely. The transportation companies have received goods up river, and the officers at Bangor and elsewhere have seized them and converted them to their own use without even a form of law; yet it was not contrary to the laws to ship these goods, the transportation companies could not take them, and the officers at Bangor and elsewhere made the seizure very often transported every form of law in doing the same. Complicated and absurd as this state of affairs seems, it has prevailed here for years.

This is ridiculous, but it may not have been intentionally so just the same, but be charitable enough to grant that the Commissioners, wardens and railroad companies at the first thought that they were keeping the law to the letter, and that they erred only through over-zeal. Yet in the *FOREST AND STREAM* for April 24, 1884, "Special" says: "But when I first met Mr. Tucker, superintendent of the Maine Central Railroad, was his remarkable order to forward no more moose, caribou, deer, or other unlawfully killed [sic] game over his road or its branches, the backbone of Maine market-hunting was broken. He was immediately followed by a similar order from the managers of nearly every other express and transportation company with lines leading out of Maine." This admits that the order was a private one in every case. But before the year is out, as may be seen by the quotations already given, he speaks of "the strong non-transportation law," and tells those who understand the law was legal when he killed "poachers;" and quotes Mr. Stillwell as saying that shipping could not be allowed "under the law."

Now there was no such law and had been none. Instead of that (though "Special" may not have known it) more than a month before he wrote this last extract, and fully eight months before those previously quoted, a case had

been decided in Bangor, which seems to show that the ex-Governor could have transported his deer and could have done it "under the law."

It is the Allen-Young case, which may be found in the Maine Law Reports, 76 p. 80. The facts are these: Benjamin L. Young, of Milford, on Feb. 17, 1883, shipped by express for Boston two deer legally killed Dec. 30 and 31, 1882. At Bangor Thomas F. Allen, a game warden, seized them on the plea that they were unlawfully killed, which was admitted. But Mr. Young maintained that as they were legally killed, the law prohibiting the shipment (Sec. 13, already quoted) was either defective or subject to a different interpretation. The case was carried before the full bench of judges, and Mr. Young's claim was sustained. The justice opinion is of great interest, but too long to quote entire. "We fail to see," they say, "any motive for making the mere transportation of the hide or carcass of a deer from one place to another a crime when the deer has been lawfully killed and is in the possession of the one who transports [the hide or carcass of the express company]. Certain one may reasonably doubt whether such could have been the intention of the Legislature; and the act being a penal one, a reasonable doubt is sufficient to make it the duty of the Court to adopt the more lenient interpretation, and construe the term such animal as meaning an animal unlawfully killed, as was done in construing a similar statute in Com. v. Hall, Mass., 410."

The trial of this case before the Bangor Municipal Court was in March, 1883. The decision of the judges was given March 4, 1884. The case itself created a great stir in the months before the question of non-transportation in the open season came up. The decision was given nearly six months after the transportation managers had refused to receive venison. In giving their decision the judges must have known of this later much-discussed phase of transportation, although they do not refer to it explicitly. In framing an opinion, it is at least probable that they would work it so as to apply to cases likely to come up under the new arrangement if this change could in any way affect the question of transportation. This is their opinion: "The transportation of the hide or carcass of a deer from one place to another in the State is not unlawful, if any time of the deer was killed at a time when it was lawful to do so. Need anything more be said on that point?"

It should be noted that what the judges say of transportation "in the State" does not prohibit transportation into or out of the State limits. The State limits are "to Boston," yet the case was decided in his favor. The judges had no jurisdiction over inter-State matters, is the meaning. There is nothing in this to support the view of a witness in the McPeters case (see below) that it is illegal to ship venison out of the State, though of late this has frequently been declared.

Here, as early as 1884, only a year after the three deer law was passed, six months after transportation in open season was forbidden, is a decision which settles the whole matter so far as the duty of the Commissioners with reference to venison is concerned. It does not say that a transportation company can carry more than three deer for the season; but it does say that any man who legally owns three deer may carry them where he pleases. If the railroad and transportation companies cannot take more than three deer, the law is in their business. If they do take them it is at their own risk, not the owner's; and if anybody is to be arrested it is the plain duty of the wardens to arrest the railroads. It is no longer a question in which the game or the owners of it are concerned.

Did the Commissioners forbid the wardens to seize game in transportation after his decision? The decision was given March 4, 1884. Read what "Special" says under date of Dec. 11, 1884 (already quoted). There is no lack of corroborative testimony. Did the Commissioners know of this decision? They did. First, it was their duty to know it. Apparently they did not know it; second, the suit was begun by one of the prominent wardens and he was defeated—which could not fail to be known to the Commissioners; third, Mr. Stillwell himself was present at the trial before the municipal court and knew the facts. Yet the work of seizing game while in transportation in open season did not cease here until the fall of 1884, and was kept up until January, 1889, in spite of this decision.

It is this on the one side that makes people here believe that this interpretation of the law was not accidental. The transportation companies had them open to criticism on the same score. If they had refused to take any game because it made them liable to suits for damages, they would of course be liable as long as the law was in force, and that law (Sec. 12) still exists. Nevertheless the transportation companies repeated their work in defiance of this penalty. Game was put on board the trains, and the employees allowed it. They refused to handle it themselves, but they did not interfere when the owner picked up his own deer and carried it aboard the train, and they did not care if he carried it to the market, his father did once. A guide writes me: "All parties that I have had have carried their game home, that would put it aboard themselves and watch it, but most always had a lot of cheap talk with the railroad men and wardens. But when the men hung to their game the railroad men did not care if they carried it to the market, not very long before non-transportation became this: No deer can be carried unless the owner is with them to keep the wardens from seizing them. The railroads, it was discovered, could carry all they pleased; they were not liable for carrying them. The wardens, however, could seize anything that was carried, at least, did seize everything they wished to. The result was that no one was responsible except the owner of the deer, whose right to convey his own property over public lines of travel was neither protected nor recognized. The cases of illegal seizure of game, belonging both to sportsmen outside and to citizens, are too many to admit this statement's being questioned. Non-transportation came to be as I have said merely a question of whether the owner was present to prevent himself being robbed. At last it became customary for the company to check deer tags, and the railroad men were no longer refused to handle it, the companies were gracious about receiving it and the owner rested easy at Bangor. Still all was not safe, as the McPeters case shows. This case has recently been settled and I have obtained the printed report of the original, attested by the clerk courts, from which I

quote the following to show what has been done in Bangor in the name of the law:

"Walter F. McPheters, plaintiff, called by his counsel, testified: I shipped these deer at Costigan by rail to Boston, Nov. 5, 1888. Costigan is in the town of Milford, in this county. They were checked; I took checks for them. There was nothing on them to indicate the direction or the person to whom shipped, but the checks. I have the checks now. I bought a ticket for Boston at the same time I shipped the deer. I saw them put on to the cars."  
\* \* \* "The next thing that came to my attention, I heard the deer were taken in Bangor. I went to Bangor to see about them soon afterward. I received no notice from any officer or any court of any seizure. I went to Bangor to see about the deer about the 25th of November."  
\* \* \* *Cross Ex.*—Q. Did you have any trouble in getting the road to take the deer? A. I did not. There was no conversation to me or in my presence by any of the agents of the company. I had bought my ticket before I asked to ship the deer."

The deer were seized by George W. Harriman, of Bangor, a private detective, warden and special State liquor constable. He admits taking one whole deer and two saddles which had checks agreeing in every particular with those which Mr. McPheters showed. He testifies: "I took them at the Maine Central depot in this city. We brought them to Mr. Page's market for storage. Mr. Mayville, Mr. Nickerson and myself were the men that took the deer. We took them directly to Mr. Page's market. I went with them. Mr. Nickerson was on the wagon with me. We left them in Mr. Page's market."  
Q. Did you ever see them or any portion of them again at Page's market? A. Yes, sir. We divided them; each one of us took one." A little further on: "Q. What did you seize them for; under what claim of right? Obj. Admitted. A. We supposed we had a right to, as it was wrong to ship them out of the State. Q. You did not then claim to have any right of seizure except upon that ground? A. That is what we supposed." The italics are mine. The answer shows how little of the law some of our wardens who have been longest in the business know, and the kind of acts in which they will engage. No evidence is brought forward to show that Mr. Harriman used a warrant. By the testimony of himself and the other two it is shown that they divided the deer among themselves without appeal to any of the proper authorities and without notifying the owner what had become of his property. The same thing has been done repeatedly in Bangor. I select this case from many others merely because the testimony was given under oath and is a matter of court record. The suit itself, though won by McPheters, is wholly indecisive, because it was brought against the marketman who received the deer instead of against the officer who took them, on account of a technicality.

The case of George W. Bennett against the American Express Company, an action to recover the saddles of three deer, is a test case. The agreed statement of facts published for the court, attested by the clerk of courts, says that on Dec. 5, 1888, George W. Bennett delivered at Newport Station on the M. C. R. R., a box containing the saddles of three deer legally killed, to be shipped by express to Boston; that the express agent was not at the station when Bennett left, but delivered the box to the express company's car, giving no receipt or bill of lading; "that said saddles was seized by Thomas F. Allen\*, a game and fish warden, on said fifth day of December, and removed by him from said express company's possession at Augusta, Maine, without any search warrant or other legal process, and without objections from the express company or their agents, and have never since been delivered to said express company." It is also agreed that the express company had notified its agents not to receive any venison for transportation, but that they had done so previously, and that in this case no questions were asked as to the contents of the box. Verdict for plaintiff.

The case is so important that it is worth while to quote some of the authorities which were cited at its trial, 1890. They settle conclusively the whole non-transportation question, as it was under the laws previous to March, 1891. (Italics my own):

A delivery is always sufficient if the proper servants of the company accept the goods to carry, whether any bill or entry in the books of the company is made or not. (Redfield on Carriers, Sec. 101, page 82, and the cases cited.)

Common carriers are insurers of all property intrusted to them, except against an act of God or an enemy of the Government. (Plaised vs. B. & K. Steam Nav. Co., 27 Me., 132; Fillebrown vs. G. T. Railway Co., 55 Me., 462.)

The American Express Co. did not restrict their liability, as no notice was brought home to the plaintiff, or was assented to by him. (Fillebrown vs. G. T. Railway Co., 55 Me., 462; Bucland vs. Adams Express Co., 97 Mass., 125.)

Neither can they so restrict as to release them from liability for loss occasioned by their own negligence. (Sager vs. Portsmouth S. & P. & E. Railroad Co., 31 Me., 228, and the cases therein cited; True vs. International Telegraph Co., 60 Me., 13.)

The American Express Co. surrendered the box of deer saddles to Thomas F. Allen without demanding his authority and without objection on their part or by their agents. (Statement of Facts.)

Carriers are compelled to solve claimants' right at their peril. (Redfield on Carriers, Sec. 244, page 197.)

On service of a legal process he may surrender goods into the custody of the law. (2 Pars. Contr., 207.)

Allen had no right or authority to seize the deer saddles, as he had no warrant or other legal process. (Constitution of Maine, Art. 1, Sec. 5, U. S. Constitution, Art. 14, Sec. 1 [and other cases].)

The saddles were not in the possession of the American Express Co. within the meaning of Sec. 12, Chap. 30, R. S. As a common carrier has only an insurable interest and a lien for his freight. (Redfield on Carriers, Sec. 308, page 228, and cases cited.)

Also such could not be the fact because it would be in violation of the Inter-State Commerce Law. (U. S. Constitution, Sec. 8, Spec. 3.)

Common carriers cannot select what they may carry or what they may refuse, but are bound to take all which offer. (Redfield on Carriers, Sec. 100, page 82 [and several cases].)

When the box of deer saddles were taken by the defendant company for transportation out of the State, and transportation began, they became subjects of commerce, and were governed by the laws of the U. S. (Coe vs. Enol, 116, U. S., 517, 10 Wall, 557-565, 18 Fed. Rep. 10.)

Commerce with foreign countries and among the States strictly considered, consists in intercourse and traffic, including in these terms navigation and transportation and transit of persons and property, as well as the purchase, sale and exchange of commodities. To regulate it, as thus defined, there must be only one style of rules, applicable alike to the whole country, which Congress alone can prescribe. (Various references.)

That is the Bennett case, decided last year—a conclusive demonstration of the colossal humbug of non-transportation in open season. Strangers and citizens alike have given up their property to those who showed no right to seize it, who had no right, either legally or mor-

\* Thomas F. Allen, of Bangor, formerly a policeman, now a private detective and game warden, the partner of Harriman above named. For some years Mr. Allen has been the leading game warden of this section.

ally, and the authorities have never once come out to tell us what our rights were nor to stop the depredations. That at first this was done in ignorance is possible, though no excuse. That the authorities should have remained ignorant all these years, requires faith amounting to credulity to believe. That the railroad and express companies should know so little of the laws on which their charters were founded as to have done this ignorantly, is inconceivable. The fact that such an imposition should have been allowed to go on year after year does not greatly increase the credit which will be given to any explanations that can now be made by those who allowed it or who first schemed it. It is said here that it was done to stop market-hunting, so that the deer might be saved for sportsmen, attracting them hither and increasing the travel on the railroads. A small object to gain when obtained by the suppression of both law and right, the toleration of a scheme of systematic robbery against which private redress was hard to get, the transformation of a people that were over-trustful toward those who managed their affairs into a people hard, bitter, suspicious, accusing. Any one who has not lived near enough Bangor to know what has been done there these last seven years does not know the long story of fraud and oppression and downright robbery which I could tell in all its particulars past the possibility of doubting the recital, if I were to go into the individual cases which I have known. No possible excuse can be offered by any one engaged in such actions, but no good could come of telling more than has been told; it is enough to know that the wrong has been done and that it will not be soon forgiven.

We hope now, since the past is past and the future always has some gleam of brightness, that a better order may begin. We have a new law this winter which we understand. It is the same law that we have been drilled on these seven or eight years in advance, which has been enforced before it was on the statute books and declared to be, while as yet it was not. It reads: "Sec. 13. No person or corporation shall carry or transport from place to place any moose, caribou or deer or part thereof in close time, nor in open time unless open to view, tagged and plainly labeled with the name of the owner thereof, and accompanied by him under a penalty of forty dollars; and any person, not the actual owner of such game or part thereof, who, to aid another in such transportation falsely represents himself to be the owner, shall be liable to the penalties aforesaid."

We understand this law. It does not depend upon doubtful interpretations. It will be respected as long as it is fairly executed. If we had had this law eight years ago, or had had the one then existing executed according to its obvious meaning, there would be less reason for explaining how Maine people have come to say hard things of the game laws. On this point of non-transportation in open season, our legal right, we have been so harassed, so often called poachers and law-breakers when we were doing nothing contrary to law, that we are more lenient than we otherwise should be against actual transgressors, and toward those who have done this injustice, are—not boisterous nor vindictive, but very stern.

FANNIE PEARSON HARDY.

Editor Forest and Stream:

If a perfect history of the travels and transactions of the sportsmen in the entire Moosehead Lake region could be fully brought to light by an impartial investigation, I am satisfied that it would completely demonstrate the fact that the cases cited by Miss Hardy are only exceptional ones. On the other hand, she does not represent the "residents" of Maine as a whole. She is speaking only for a fractional part of the citizens of this State, as I firmly believe. Neither does she voice the sentiment of a majority of those residing near the great wilderness country frequented by sportsmen. I can recall cases which have come under my own observation where several hundred dollars have been paid into the treasury of Piscataquis county for fines for violation of the game laws by residents of other States.

I know that during the past three years we have suffered by a lax enforcement of these laws. I know further that as bitter complaints on account of this have come from backwoodsmen and guides in the Moosehead section who are during every summer season largely associated with the sportsmen, and necessarily influenced more or less by them, as from any other source.

Now, if these sportsmen as a class were as destructive of game in intention or in practice as Miss Hardy avers, it goes without saying that they would impress their ideas upon the guides. That they do influence them to a great extent is undeniable, and the fact that they do not as a general rule countenance or aid infractions of the laws while guiding, but that many of them are among the staunchest and most sincere supporters of the code, is to my mind positive evidence that the great mass of their employers have done everything in their power to educate them up to this standard.

I hope that as Miss Hardy has opened it, the FOREST AND STREAM will give both sides of the question. I do not feel competent to give the other side, but I hope others who are will join me.

I feel, as do many in this section, that we are, as residents, and as real backwoodsmen, being misrepresented by her.

J. F. SPRAGUE.

MONSON, Me.

PUZZLED GEESE.—Springfield, Mass., April 20.—Last Wednesday morning about 10 o'clock a severe thunderstorm passed over this city, taking its way down the valley into Connecticut. An hour later the air was filled with strange and distressful cries that for a moment made the wicked tremble. The city was filled with wild geese in small flocks of from two or three to twenty, which had probably composed one or more large flocks that had met the storm and become scattered, and were finally attracted here by the electric lights. For hours they flew in every direction, probably searching for their lost mates, and uttering an unusually mournful honk, which told that they were in trouble. The electric lights evidently attracted and bewildered them, and probably every light was visited once or more by different flocks; and they flew so low that they barely cleared the trees and buildings, and the "swish" of their wings could be plainly heard. It was only after the electric lights were shut off that they rallied together and took their departure for the north in fairly good order.—F. L. B.

## ST. LOUIS NOTES.

ST. LOUIS, April 25.—Spring shooting has been a failure in this section, say all of our hunters. The early spring was so dry that there was no water on favorite grounds, and then came cold and wet weather, which put a damper on all sports. The flight of ducks was small, and the snipe for some reason did not stop to sample our Missouri and Illinois worms. But perhaps 'tis well. Spring shooting should be abolished all along the line from the Gulf to British America.

The angling season opens auspiciously and some good catches are reported. The water at the various club grounds is reported in good condition. Angling is now to the front and shooting goes to the rear.

The trap-shooting season was opened last Sunday by the Carondelet Gun Club, in which a large number of clubs participated.

The Gilham's Lake Hunting and Fishing Club has finally obtained its coveted property, and has completed its organization. The membership is limited to thirty. The grounds are located near Wanda, Madison county, Ill. The club controls about 1,200 acres. The officers are: I. F. Burke, President; Albert Rawlings, Vice-President; Wm. Dooly, Treasurer, and Chas. E. Wise, Secretary. The shooting in season consists of duck, snipe and quail, while the angling, the secretary says, consists of "dog-fish" at present.

Our revolver shots are discussing the championship event and are getting ready for taking part, which will be duly recorded.

Among the enthusiastic salmon anglers of St. Louis may be mentioned Henry Hitchcock, E. A. Hitchcock, E. T. Allen and Mr. C. B. Burnham. In conjunction with a few other anglers of Chicago and Boston these gentlemen lease the Nipisiquit River in New Brunswick. The water is controlled by the Government and is known as Government water. The gentlemen have a lease for five years, and the river affords very fine salmon and trout fishing. Another prominent St. Louis salmon angler is Mr. James Richardson, who fishes in the Restigouche. ABERDEEN.

## THE WAYS OF SNIPE.

Editor Forest and Stream:

In your issue of April 23, Mr. H. Austen, of Halifax, N. S., claims that the snipe does its booming (I take it he means drumming) with his voice, and not as supposed with his wings, and that this noise is only made at dusk or long after dark. If Mr. Austen will go out to any good snipe ground when these birds are in, especially in the early part of May in the spring or September and October in the fall of the year on a dull overcast day, he will find numbers of snipe in the air circling and soaring about and drumming to their heart's content, when he will be satisfied (or I am much mistaken) that the noise a snipe makes when drumming or booming is made with his wing.

In the same letter Mr. Austen writes: "All the sound that I have ever heard in the daytime has been their *scaipe* except that on Aug. 11, 1885, when shooting on the marsh, I heard about and around me *who, who, who*, only not in very loud notes, and for quite a while was puzzled until I found running about at my feet three tiny young snipe, which must have been a very late or possibly second brood." If Mr. Austen will go out where these snipe breed, during the mating season, that is with us in the month of May, he will find that snipe sing, twitter and call. During this season snipe call one another *pete, pete, pete*. The cock bird springs into the air, flying 20 or 30 yds. before lighting again, with his tail and head up, singing and twittering much like a bobolink. One could hardly think that these tame foolish birds were the wild, swift-flying, hard-to-hit birds of the previous month.

The snipe and woodcock both drum with their wings. Woodcock drum about dusk, letting themselves down from an elevated position plump on to the ground, with wings set edgewise. Snipe generally drum on dark and dull days, letting themselves down from a high position with wings set edgewise, fifty or a hundred feet, immediately soaring up again to circle around as before. This they repeat for hours together. Years ago when snipe were plentiful on the Holland marsh, a few miles from here, I have seen upon a dull day fifty or sixty snipe in the air at one time circling and drumming; in fact, every snipe on the marsh appeared to be up in the air. I need hardly say that on such occasions the bag was small. In those good old times I remember in the month of October making a bag of 105 snipe in one day, the day was a bright warm still day.

Old Bleacher, the dog I used in those days, was a black and tan, out of a liver spaniel bitch, by a black, white and tan foxhound dog. Strange to say, in appearance he was a very handsome spaniel and a dog I never was ashamed to be seen with either on the street or in the field. All my dogs now have the bluest of blood in their veins, but I would gladly give them all for old Bleacher and the abundance of game of his days.

What a pity it is that both the Government of Canada and the United States do not pass a law prohibiting the exposing for sale all and any game. It seems deplorable to allow our game to vanish before our eyes, when by a simple enactment, such as the above, it could be prevented.

HENRY B. NICOL, M.D.

COOKSTOWN, Canada.

CALIFORNIA SEASONS.—Since I wrote you last, our Legislature has adjourned after amending the game law as follows: Extending the close season for quail up to Oct. 1, instead of Sept. 10 as it has been in the past, and making it unlawful to kill deer, elk, mountain sheep or antelope for the next two years. This has been signed by our governor, and is now the law. This is good, gentlemen, excellent! Even if our Legislature did adjourn with a very unsavory smell of "boodle" clinging to its garments, it did pass some meritorious laws, and this is one. The bill as originally introduced protected the deer for six years, but was amended so as to cover only two. The former period was just about right, but the latter will do a great deal of good, and "half a loaf is better than no bread." And, besides, if we can ever get the average legislator to grant half of what is asked and needed, we do well. And it is useless arguing with them, for *Mit der Dummheit kämpfen Götter selbst vergebens*. Which in English means: Against ignorance even the gods battle in vain. —AREFAR.

## SIX YEARS UNDER MAINE GAME LAWS.

## VI.—POISONING.

WE have a law regulating the sale and distribution of poisons. It has remained on the statute since 1857 without substantial change and without repeal at any time. The latter part reads: "If any person for the purpose of killing wolves, foxes, dogs or other animals, and not for the destruction of insects or vermin, in a building, leaves or deposits any such poisons within two hundred rods of a highway, pasture, field or other improved land, he shall be punished by a fine not less than twenty nor more than fifty dollars; or by imprisonment not less than thirty nor more than sixty days."

It is my object to show that this law has been recklessly violated; that this violation has been charged to wardens; that the breaking of this law and the suspicion that wardens did it have caused much of the feeling that exists in the eastern part of the State against the game laws and their administration—these three things only; but I shall probably show that the feeling and the suspicion are not altogether unreasonable. If I dwell more on the belief of people here than on an elaborate setting forth of the facts involved, it is because the collective loss which these facts represent is small relatively to the effect it had upon public opinion, because also this is purposely left as a matter of circumstantial evidence; and because my object is not to do more than to explain and account for the state of feeling which should not longer be disregarded. So far as the testimony here given needs any guarantee it may be said that it comes from men believed to be truthful, who do not live near each other, who belong to different classes and occupations, who cannot have had any means of knowing what has been told me by any one but themselves. I have received nothing contradictory to what is given here, and I do not publish all that would confirm these statements.

I. Poison has been laid out contrary to law and domestic animals have been killed by it.

Previous to the Graves murder, in 1886, I heard of a number of cases in which animals were killed by strychnine, and among them some which are quoted below. This shows that these claims are not of recent manufacture. Although I then had no reason for remembering or noting the incidents given, I recollect that the reports came from a number of different towns, and that Passadumkeag was one of the principal places which suffered. This winter I asked a man whom I remembered as having spoken of the matter, whether he knew definitely what happened there. His reply was substantially as follows:

"Know? Yes, I was there at the time it was done. There was poison left in doughnuts and biscuits—strychnine enough to kill anything, and they left it close to the railroad station and all around town. Yes, it did do damage. I know of some cases. A man at Gould's Ridge had a dog killed, and found a piece of poisoned biscuit in his yard. A Passadumkeag man lost two horses; one was a farm horse and one was a colt worth \$200. The horses had been in the door yard all night, and in the morning they were dead, with a piece of poisoned bread near them. But there was worse than that. — had a child die that same day, and they thought it was poisoned. It was a little child, out playing with the dog, and they found a piece of doughnut somewhere. The child brought it into the house and very soon the dog died. The child died that same day. They thought it was poisoned. No, we did not know who did it, but it was laid to the wardens; it is all guess work who did it."

This is almost a literal transcript of notes taken during the narration. Names were given which I have omitted for obvious reasons, and it is possible that there may be some minor errors in taking down the facts; but the veracity of my informant is beyond question and all that is claimed by me is that he believed poison had been laid out in more than one instance. However, a letter subsequent to this shows more. "You wanted to know about Passadumkeag," he writes. "I was in town when the child was sick but went home before it died that night, and all I know is what they told me; and for the horses I saw them."

This proves conclusively that two horses were poisoned and that the same day this was done a rumor of a more serious nature was started. I wish, however, to disclaim any belief in the latter. I have spent some time in trying to investigate it and have been unable to disprove it, but also unable and certainly not desirous to prove it. It is an odd matter and those who might have denied it have not chosen to do so; had they done so it would not have been mentioned here although it had its influence. It should be said that I have found no proof that any warden laid out poison in Passadumkeag, but a strong and somewhat pointed suspicion to the effect that it was done either by a warden or some one in his employ.

So far we have proof of two horses killed by poison. From another source the poisoning of dogs at Gould's Ridge and in the town is confirmed, with a repetition of the rumor that it was done by wardens. Still another, repeating substantially the same story told by the first about the child, makes the more definite, but perhaps not more correct statement that it was "the same night that — [a warden] poisoned all the dogs and cats in town." Another from a town near by writes that he never has heard the child's death ascribed to this cause, but knows "that strychnine has been left in our highways by being put into doughnuts, etc., and that one cow was poisoned that was hitched near the house in the field (—'s of Olamon). Some four years ago — [the warden mentioned by the last correspondent] went through this section and immediately after he passed dogs and other animals dropped dead." A man from still another town tells of poisoned biscuit being brought into the house by children, but gives no particulars. He also speaks of a house dog and turkey being poisoned in the dooryard. Another says that his daughter's pet cats died with evident signs of strychnine poisoning, and that he supposed poison had been laid out by a warden—whom he named—for dogs. These are a few instances out of many, but they are definite, not general, statements, and illustrate the variety of the casualties that have occurred here. It is certain that the law prohibiting laying out poison within 200 rods—five-eighths of a mile—has been grossly violated.

As it may explain other matters, I wish to state why I do not undertake to prove more here. I could not well do it without the use of names. Matter of importance has been put into my hands with the understanding that it was to be published if desired, but without any limita-

tion or caution as to its use or the use of names. I have therefore preferred to err on the side of caution and have adhered to my plan to give names only when the point was one of public record or notoriety, or else supposed to be a matter of personal indifference.

II.—This poisoning of domestic animals has been generally charged to wardens.

People living in four different towns on Penobscot waters have given me accounts of what has been done in their own towns, and these and others have told of cases in towns where they were not resident. All seem agreed that persons unknown were guilty, and most are of the opinion that these men were wardens. The names of two wardens are frequently mentioned, but no third except a man, sometimes called a warden and sometimes not, who was known to accompany one of them on a trip and a man believed to be employed by a warden. There is also an entire agreement as to the methods used west of the Narraguagus, and as to the odd fact that bread and other cooked food was frequently the bait employed.

Is there a possibility that any number of the animals that died were killed in some other way? Not the slightest. The signs of strychnine poisoning are unmistakable, besides, the poison was found in a number of places.

Could they not have been killed by malicious people who wished to cast reproach on the wardens? To a very limited degree this might have been done, but not to this extent. The work was carried on for three falls, '84, '85, and '86, and in parts of three different counties, Penobscot, Hancock and Washington. I have reports from Penobscot, Union River, Machias and St. Croix waters, showing that it was done on all these within three years. It was not done to kill foxes or wild animals. The season of the year was too early, the places and bait both unsuitable. None but domestic animals or men would be likely to find the bait, and few other creatures would be attracted by it. The reports that bread, biscuit and doughnuts were frequently used show that it was done by the wholesale by some person or persons who wished to carry bait in bulk and must have a kind easy to procure and convey. Whoever did this work made a business of it.

There were men who were suspected of doing this, as I have said. They were watched and followed, unknown to themselves. One of them was seen repeatedly, and wherever he went poison or dead animals were found. He made two trips with different companions, and both times the same results attended him. There certainly was some reason for suspicion of this man, if not of his companions.

There is a printed statement also, which never having been denied may be taken, in connection with some other matters as authoritative. "Special" made it in the FOREST AND STREAM for Jan. 8, 1885. It shows that elsewhere at this time wardens were engaged in poisoning. He says:

The deer hounders, or rather their poor dogs, have fared hard this year. The Maine game law not only forbids hounding, but provides for the destruction of the dogs. By the game wardens a war to the death has been waged. A great number of poor dogs—or perhaps good dogs with unworthy masters—have been destroyed. If one apothecary would tell his story, pounds of poison would be accounted for. Repeating rifles have also been employed by the wardens.

In support of this statement, I am at liberty to say that about the time this was published Mr. Stilwell asked my father to listen to a letter which he had received from some one residing on Machias territory. He did not read either signature or superscription, but the writer gave a detailed account of a trip taken by some warden, the amount of poison which he had distributed, and the report that he had killed every dog on the route except one belonging to Shaw Brothers, which was kept at a camp where the warden could not get at him. A Bangor man who was on Machias about this time reported finding five pieces of poison laid out in the road between Fourth Lake Machias and Lower Dobsy, a distance of about one and a quarter miles. While it is possible that none of this was put within five-eighths of a mile of Shaw's house at the end of the carry, and that none of the rest which was laid out elsewhere on Machias was distributed within the legal limit, the practice could do no good to the cause. In this district the law about poisoning was not scrupulously regarded, as has been shown; and I have deposited in the editor's hand proof that would justify popular suspicions as to who did the mischief. This, however, I consider too confidential to be published. There is an incident which is strong circumstantial evidence of the same that I am at liberty to give.

A year ago last fall the man who went as guide for us told us of a narrow escape his cousin, his uncle and four other men had from being poisoned by wardens a few years ago. They left camp for a short time, and in their absence wardens put poisoned bread on the table. Returning, they made a bean soup, and were on the point of thickening it with the bread from the table when one of them said that it was too dry and gave it to the dog, which died immediately.

This winter I asked one of the men who was of the party—a very well known and much respected guide—for the facts. He gave them in great detail, every point that was essential, and I wrote down the more important. I understood him to give permission to use his name also, but as there is the possibility of an error here and as I cannot now send manuscript for his correction, if any is needed, I will not make him responsible. My notes say that on Jan. 27, 1891, he told me that a party of six, including himself, his uncle, another guide and three sportsmen from New Haven, Conn., all of whose names he gave, were camping in a lumber camp at Brandy Pond on the West Branch of Union River. They had with them two dogs—one three-fourths foxhound, which belonged to him; the other, as I understood, not a hound. They were hunting deer, but I do not know whether these dogs were or could be used to run deer.

While they were there the warden whose name has been left blank several times, with a companion, who is variously reported as a warden and as not being one, came to the camp and tried to induce them to put the dogs out after deer. They left the camp for two or three days while this warden and his companion were still in the country on, as every one reported, a poisoning tour. On their return they made a bean soup and were about to thicken it with a piece of bread which one of them saw lying on the table, when it was said by some one that the bread was too dry. Instead of using it for themselves it was given to the dog owned by the narrator, and the dog died on the spot. They could prove only the fact of the poisoning, not who did it. When they left the place

the warden and his companion had been near; when they returned both were gone. Whoever may have been the guilty man, some one was narrowly delivered from the crime of killing six men who had done him no injury, against whom he could plead neither injustice, personal danger, nor a violent and overmastering provocation.

Comparatively few of the wardens in this State were engaged in this wretched poisoning, but the few were diligent. For their misdeeds some who were innocent were suspected, and under the cover of them men who were not wardens at all may have used their opportunity to do evil. It was a practice which could do no good, which might do, and did do, much harm, which would disparage the cause in whose service it was carried on, and alienate rather than attract the support of those without whose hearty co-operation game laws must be a failure. Nothing can more certainly react against an object to render it unpopular than the attempt to push its claims by overriding greater ones. In the eyes of the people it was more important that their property should be safe than that deer should not be dogged. Both were desirable, but the former was the greater. The latter could not be enforced at the expense of the former. If there was reason to suspect that officers of the law in enforcing one statute broke a law much more important, they lost the support which was needed to make their cause good. It does not matter if they did not all engage in it, or if they did not do all of which they were accused. One murder grew out of this, and there is danger yet.

Of the warden who has been principally accused so far, it may be said that the charge does not greatly injure his reputation. He has been guilty of about all the petty sins on the catalogue; he attempted blackmail, illegal seizure, breaking and entering a locked storehouse, is an habitual drunkard—of which the editor holds proof—but he is still a warden.

FANNIE PEARSON HARDY.

## DUCK HUNTING IN PENNSYLVANIA.

THE stormy winds of March had spent their wrath and the driving snow had changed to rain. Warm, balmy winds from the south murmured among leafless branches, and kissed the last vestiges of icy winter from the barren fields. The early birds of spring flitted here and there, in search of food, and the wild geese and ducks still journeyed toward the lakes of Canada, as if eager to reach that chilly clime before the first breath of spring.

From the railroad men who passed through the valley every day, I learned that hundreds of wild ducks frequented the sequestered parts of the river. This was news to me indeed. I could scarce wait till morning to go after these ducks. I remained up late that night loading shells. After getting my hunting clothes ready I went to bed. I may have slept one or two hours, but after that could not rest. It seemed a year till the first faint signs of approaching day appeared at my east window. Then I arose, prepared a warm breakfast, unloosed Dick, my black setter, from his chain, and after eating, started on foot for the "big bottoms."

The sky was overcast with heavy clouds, and daylight brought a light drizzling rain. I kept the railroad for the first three miles and then struck off through a muddy lane that led to the river and the ponds.

Just as I reached the edge of the first thicket there was a whirring of wings and a flock of fine mallards rose and were out of range before I could cover any of them. This incident induced me to be more careful and I approached the next thicket with great caution. All of these thickets concealed sloughs or ponds, which afforded a secure resting place for wildfowl. There was one pond of large size shaped like a crescent and concealed by a heavy fringe of black alder, where I felt sure I would find ducks. On the north side of this pond the overflow from the river had piled up an immense amount of driftwood, and by keeping behind this it was possible to advance to the very edge of the pond without being at any time exposed to the watchful eyes of any wildfowl which might be on the water. I approached this pond with great care, keeping behind the pile of drift. Dick was aware of the necessity of caution and a cat could not have followed me more noiselessly than he did. Reaching the barricade of drift I slowly raised my head and peered over a large rotten tree trunk. I was rewarded for the care I had used by a sight such as but few men, I think, ever beheld in that valley before. The pond was literally covered with ducks of all colors and kinds, from the big mallard with his gorgeous plumage to the white-headed and white-winged fish duck and the black and blue-winged teal. I was not more than 30 yds. from a bunch of fine mallards but was so shaky that I remained fully half a minute behind the log trying to compose myself. Then I grasped my heavy Parker which contained two shells loaded with No. 4 shot and 5 drams of powder. Rising suddenly to my feet I covered the mallards and gave them the right. They were somewhat scattered and I killed only two, but my left barrel brought down another from above the lower branches of the trees. I sent two more loads after a cloud of teal but fail to stop any of them.

I can never forget the tremendous confusion my first shot caused in that pond. There must have been at least two hundred ducks in a space not over 60 by 90 yds., and they got up with a rush and whirring roar of wings such as I never heard before.

Dick retrieved the three big mallards, the finest I have ever bagged. Placing them in the pockets of my coat I continued my hunt, but found not another duck on the river or ponds.

I noticed many flocks of wild geese and ducks flying up stream, but all far out of range. Knowing that they would see me long before they got over me, and rise out of reach of shot, I resolved to hide and wait for a flock, low enough to shoot at with some chance of success. I found a patch of high timber, mostly composed of sycamore and maple trees, growing close to the river bank, and ending in a wide open wheatfield to the north. I selected a spot on the edge of the timber, where I was concealed by a pile of drift, and could see the ducks and geese as they came over the tops of the trees, without being seen by them.

I had several shells loaded with No. 1 shot and 5 drs. of powder, and resolved to try them at any flock within reasonable distance. After waiting about an hour I grew restless, and was about to leave when I was suddenly startled by the well-known cry of wild geese coming from no great distance.

be captured that way. Nevertheless, it was generally believed that Brown had accomplished a feat that could not be done by any other man in that region.

A few years prior to the time of which I write there were two brothers who were both crippled by an encounter with a bear. They were skilled hunters, six-footers, and heavily-built men. It was a sort of hand to hand combat, where the two men were badly worsted, thoroughly "chawed up," as it were, one having his thigh broken in two places, while the other had a shoulder badly lacerated and the scalp torn from his skull, so that it hung like a flap over the face. The particular circumstances which brought about such a singular episode I have neither time nor space to relate here.

By a providential circumstance they were found by a party of hunters who happened that way soon after the occurrence. Both men were helpless and were carried out of the woods on stretchers. Their recovery remained doubtful for several months; but they finally lived through. But they were both maimed and disabled for life.

ANTLER.

GRANDVIEW, TENN.

## CHICAGO AND THE WEST.

DES MOINES, Ia., May 16.—About a week ago, when leaving Chicago on the evening train of the St. Paul & Kansas City road, I witnessed a little incident which interested me at the time, and which may cast some little light on the question of the speed of a flying bird. We were about forty or fifty miles out of the city, I should think, and I was at the supper table in the dining car, it being then just a little before dusk, when I saw five prairie chickens flying along parallel with the train and about a hundred yards or more distant. I believe they kept this course for more than a mile before they finally turned around a hill and disappeared. They were doubtless on their regular evening flight to their roosting grounds, and any one knows that at such a time they usually fly with great steadiness and rapidity. I lined the birds up with the edge of the window casement, and could see that they did not gain much on the train. Either the train or the birds were irregular, for first one and then the other would see-saw ahead and settle back. The train must have been going over fifty miles an hour, for it makes a fast run through there. From the way the birds followed the surface of the ground, not holding high up in the arrowy flight of the cold fall days, I should think that they were going at about three-fourths of their top speed. Our friends curious in figures might from this formulate a guess not quite so rude as one altogether unaided. It had been my impression that a prairie chicken would fly right away from a railway train, but in this long race it did not seem that way.

All through Iowa and Missouri the country was looking simply beautiful in the early spring, lying out fresh and pleasant in a succession of gentle valleys and rolling ripples of green. The crabapples were in bloom and the dandelions covered the banks, and down in Missouri the "redbud" trees were in full flower. It was very pleasant to see the quiet country life unfolded in panorama as we passed, the cattle grazing on the blue grass pastures, the farm dog dozing in the sun, and now and then a turkey strutting through the yard. For sporting purposes, however, most of this region across central and southwestern Iowa and the upper corner of Missouri has seen its day. Its beauty now is the beauty of the garden and not of the forest or prairie.

And so on to historic Leavenworth, the most beautiful city of Kansas, and indeed one beautiful enough in any company, though Kansas does not offer a very hot competition for the most part. Familiar with the arid western plains of Kansas, I had never seen this old town before, and it seemed very delightful, albeit quiet and quite done its active work apparently. This year Leavenworth has just 250 inhabitants less than it had last year. Leavenworth supplies the West with prominent citizens. They are scattered all through the mountain and plains country. Nearly everybody in Colorado lived in Leavenworth once. Provided one be done with the active conflict, I do not know a better place to settle in, and a better place for a town never was. The hills make a grand amphitheater down to the river. The country round about is a noble one. Fort Leavenworth, the military post and training school located about three miles above the city, is situated in a bit of country as lovely as ever lay out of doors. "It's nearly as pretty as the Bluegrass country," said Lieut. Hughes, one of the officers I met at the post. This, coming from a native of the bluegrass section of Tennessee, is certainly much of an admission. But Fort Leavenworth is called by the army officers one of the most beautiful posts in the United States, and they are glad to be stationed there. I believe, however, that this is largely on account of the feminine population of Leavenworth town, which is numerous and beautiful in the extreme, and therefore of a quality to appeal to the æsthetic nature of the gallant gentlemen of the army. Where the officers are gathered together, there are the ladies also, and vice versa. I don't know whether it is the officers, or the ladies, or the bluegrass country around Leavenworth which is responsible for this state of affairs, but everybody seems very happy over it.

And hey! for the glory of the army! The only trade for a man, I do think, and one kindly to its followers. The result of the physical training is so apparent. The men are all men, and not stoop-shouldered *villains*. The uniformity of the excellence of their physical carriage ought to be a shame to the average dollar hunter.

"There's the assembly," said Lieut. "Billy" Wright, as a bugle began to sing, "and if you want to see the cavalry parade, get out." Presently the troops came by, full trot, shining, resplendent, magnificent, the "Senegambian Hussars," as Lieut. "Billy" called the colored troop in front, each big negro of the lot proud of his job, and riding like a king. If you want to see superb horsemanship, go to Leavenworth. And if you want to feel your backbone quiver, listen to the trumpets.

After dinner we went out across the town, three miles in the opposite direction, to the Soldiers' Home. Here was the obverse of the medal of glory. Two thousand graybeards, hobbling, crawling, sitting, unranked, half uniformed. All waiting. No trumpets here. There may be trumpets some day sounding in *reveille* over the white headstones on the green hills yet beyond the buildings of the Home. And so we ran it down, this trail of glory, from the epauletted youngster seeking the bubble reputation, to the lean and slithered parody of that, and finally the end of it all. Funny business, this

living! If you go to the Soldiers' Home, you would much better go back to the Fort next day and hear the bugles again, and talk with Lieut. Billy, or Lieut. Wren, or Lieut. Hammond, or Lieut. Cruse, or Lieut. Perkins, or Lieut. Scott, or Lieut. Wilson, or Lieut. French, or Lieut. Evans, or Lieut. Elliott, or Lieut. Nicholson from Riley, or some of the flock of young officers you may find out there. The woods are full of them, and they are full of fun.

"Did you ever hear Col. —'s elk story?" asked one of these young gentlemen. "You know, it happened after dinner one evening. Col. — was telling how he chased a great elk which he had wounded, and which he was particularly anxious to secure on account of its magnificent antlers, which he declared measured over seven feet from tip to tip. 'I run the old fellow right up to the edge of a heavy wood,' said the Colonel, 'but there I had to stop, and I lost him. The trees stood so thick no horseman could get through. They weren't over two feet apart anywhere.'

"How wide did you say that elk's antlers were, Colonel?" somebody asked him.

"Seven feet, sir; not an inch less, sir," said the Colonel.

"And how far apart were the trees?"

"Not an inch over two feet, sir, not an inch."

"Well, now, how in — did the elk ever get in there himself?"

"The Colonel stopped a moment, and then straightened up. 'Gentlemen,' he said, 'he did just exactly as I would have done under the circumstances had I been in his place, and just as I have to do now—he had to take in his horns!'

"Well," spoke up another officer near by, "Col. — got out of that better than Gen. — did out of his fish story. Did you ever hear of that?" No one ever had.

"You see, I don't know whether I ought to tell it or not; but if a general could tell it, I suppose a lieutenant can. It seems that Gen. — was out fishing, down in Florida. The day was warm, and the temptation to go into the water was very great. Fastening his line to a stump, he removed his clothing and went in bathing. 'I was just about to come out and resume my apparel,' said the General, 'when I noticed a terrific tug at my line and knew I had a fish of very considerable size. Loosening the line from the stump, I went to work to land the fish, when to my surprise the creature made a determined rush for the sea and I found I could not control it. In some way I became entangled in the line, and was rapidly hauled down the beach in spite of my struggles. I felt the water dash above me as I was rapidly pulled in, and I gave up all for lost. But, gentlemen, I have never yet known my presence of mind to fail me in a time of danger, and it did not now. I thrust my hand into my pocket, drew out my knife, and in a moment had cut the line and was free! Had it not been for that, you would not see me here to-night.' You ought to have seen the General's face when they asked him where the pocket came in in a story like that!"

All sorts of larking when it isn't dress parade, but when the serious part of life is on at the Post the ceremony and dignity of the military community is something very pretty.

Mr. W. W. Carney, so well known to readers of FOREST AND STREAM as former owner of the ranch at Great Bend, where the annual coursing meet of the American Club is held, is now at Leavenworth, and with him and his brother, E. L. Carney, the hours fled all too quickly. In the evening we went over and called on Col. Moonlight, one of the best known figures in Kansas and Western history. Col. Moonlight was once governor of Wyoming, and has long been prominent in political circles. We got him to talking of his early Indian fighting and hunting days, and passed a great evening. A very romantic career has been Col. Moonlight's, I heard elsewhere. He ran away from Scotland when he was a mere boy, and somehow got into the army in this country and has been in all the wars, I understand, from the French and Indian war on down, including the Seminole Indian war, to say nothing of having been a Government surveyor at the time when a Winchester was more useful at that work than a transit. Sometimes nowadays the Colonel goes out on the range for a while, and as soon as he leaves the settlements he throws off his hat and goes bareheaded, sun or rain, till he comes back again. "When I go on a hunt," said the Colonel, "I never take but one cooking vessel, and that is a common tin cup. You can cook anything you want in a tin cup. I don't see what any one would want with any more dishes than that." I should like a photograph of Col. Moonlight on a hunt, hatless, and bearing a single tin cup. It seems to me that is traveling about as light as they make it.

From Leavenworth to the croppy tournament at St. Joseph, as see small bills. On Thursday evening there I met Mr. A. G. Courtney laboring up the hill to his hotel with his Lefever under his arm. "Where's Charlie Willard and Rolla Heikes?" he asked.

"Gone home this afternoon," said I. "That's all you know about it. They haven't gone home. They missed their train, and I just left them on their way back to the lake to go fishing again. If I didn't have to go to St. Louis I'd go back to the lake myself and fish all day to-morrow." St. Joseph and the lake offer rare attractions for a trap tournament.

Here at Des Moines I find everybody looking forward to the opening of the Iowa State tournament at this place on Tuesday of next week. This should be a good event, though I believe the croppy fishing at Des Moines is not so exceptionally good.

From the West comes one more account of shocking accident from shooting carelessness. In this case a husband killed his wife. The affair happened at Colorado Springs, Col. Mr. and Mrs. Winn, of Coronado, Kas., were with two friends returning from a pleasuring trip of over a month in the mountains. Two ladies rode in one buggy, Mrs. Winn being one of these. Mr. Winn and a friend rode in a carriage directly ahead. In this vehicle were two shot-guns, loaded. Mr. Winn moved one of these in some way and it was discharged, the contents striking Mrs. Winn in the neck and killing her almost at once. A fine reprimand for the man who allowed those loaded guns in the carriage; but perhaps he didn't like his wife very much, anyhow. The man who carries a loaded gun in a vehicle ought to be treated as though he expected to kill some one.

At this date the tremendous forest fires of the Michigan

lower peninsula are reported abating. Many counties have suffered terribly. No lives are reported lost, but property of the value of several million dollars has been destroyed. Grouse must have been destroyed in the egg by thousands and thousands, and perhaps many fawns also perished, though as to the season of their birth in that region I am not so certain. These great fires are public calamities and herein should lie a lesson to the careless camper. A newspaper which has gone into this matter somewhat has the following to say:

"In the great majority of cases these forest fires are caused by willful carelessness. Out of nearly 3,000 instances collated in the tenth census, 1,152 fires were started deliberately for clearing land, 628 by hunters' fires, 262 by what the returns called 'malice,' 197 by reckless efforts to improve pasturage and only 508 by locomotive sparks. In other words, more than 80 per cent. of the fires might have been prevented by the exercise of proper and sensible precautions." E. HOUGH.

## SIX YEARS UNDER MAINE GAME LAWS.

VII.—ON KILLING DOGS.

I AM going to give the tradition of the origin of the law permitting the slaughter of deer dogs, to show the consequences of the practice, the unwisdom of it, the extra-legal abuse of this doubtful privilege, the trouble certain to come from it and the fact that the Game Commissioners were fully warned of what was sure to happen. We cannot deal with compliments now, and the burden of this whole miserable business of dog-killing with its dreadful consequences, must be left to rest where it falls.

Deer dogging is not a recent practice in the eastern part of the State. As early as the forties considerable of it was done, although it was by no means general; for the people of the southeastern part of the State were a race of still-hunters. It is hardly necessary to say that at that period there were few if any deer, except stragglers, west of the Penobscot, so that both still-hunting and dogging were necessarily confined to the regions where both have flourished most ever since. Dogging was not illegal at this time, and did not become so at any season of the year previous to 1853, while it was not prohibited until a later date, some time in the sixties, I believe, though my earliest note of it is 1871.

As has been said, dogging was not at first illegal, and though most preferred still-hunting, it was practiced to some extent, especially in the latter part of the forties and during the fifties. It was then that Rod Park and his pack used to make "such gallant chiding" over the rough granite country that slopes down the Union River. It was noble music say those who heard it. Park was a Veazie lumberman, well known all over the State, an admirable marksman both at game and target, a fine still-hunter for deer, an expert at all outdoor games and employments, the most buoyant, whole-hearted, irrepressible, fun-loving and laughter-making man that ever drew violin bow and loved his friend's quarrel better than his own. His delight in good company drew him from the solitary life of the hunter; his overflowing energy attracted him to the woods, therefore he loved his dogs. He always had a pack of favorites, not blooded, perhaps, but well chosen and remembered long after the limits of their doggish lives. Hunter, and Panther, who were slain, old Jack who fell by a bullet, and old Spot, the most lamented of all, were of them. Two lawyers, Bradbury and Wiggin, were frequent companions of Park's at this time, and they hunted together in the Union River country, sometimes from canoes, but most frequently on the runways, which Park liked best. "A cry more tuneable was never holla'd to," but it was not music to the still-hunters. There were wolves in the country then and the deer being in constant alarm from these, were more frightened of the dogs than they now are, so that a pack of hounds was a serious disturbance to still-hunting. But Park was a favorite and the hunters did not wish to trouble him or his dogs, although they complained loudly of his companions. Park was a poor man like themselves, they said, but that rich men's sport should destroy their occupation was a serious grievance, and on account of it Park lost some dogs. Yet there was in this nothing that would cause recourse to law making. There was, however, another trouble to which Park always attributed the origin of the first law permitting dogs to be killed.

Park had his enemies as well as his friends. Those who have driven from Bar Harbor to Bangor on the tally-ho which ran eight years ago, before the railroad was put through, may remember just half way between Ellsworth and Bangor, on the top of a long hill, two old, blackened houses, the only ones for some miles, which stood on opposite sides of the road not far apart. They were the half-way taverns on the stage road, Johnson's on the right and Mike Mann's on the left, and the hill is still known as Mike Mann's Hill. This hill lies midway between Fitts's Pond (now Phillips's Lake) and Reed's Pond (now Green Lake)—two places at which Park and his dogs used to run deer. The tavern keepers on the hill had the bitterest enmity to each other, which Mann at least, who was small in spirit as he was large in stature, extended to all who patronized his rival. And Park always stopped at Johnson's. Whether there was any other cause for this ill will is not known, but on account of it Park was subjected to much annoyance by Mann and when he was in Mann's vicinity. At one time the road leading down to Reed's Pond was filled full of big hemlocks at a certain narrow place between ledges. Again, Parks had some birch canoes left near there maliciously destroyed. These and other troubles occurred about 1851, but the feud was continued.

In 1853, by the margin of the R. S. of 1857, a new and very remarkable game law was passed. "No person shall hunt or kill on any land not his own in this State any moose from the fifteenth day of March to the first day of October, or any deer from the fifteenth day of January to the first day of September, under a penalty of \$40 for each moose and \$20 for each deer so killed. No person not an inhabitant of this State shall, at any time, hunt or kill any moose or deer except on his own land, under the same penalties as above provided. Any person may lawfully shoot or otherwise kill any dog found hunting moose or deer within the time or with the persons herein prohibited." The aliens meant are undoubtedly Canadians, for summer travel had not then begun to any extent. But why prohibit hounding in close time only? This is covered by the prohibition to hunt at all at that season one would suppose, Park



always declared that this point was "got up by Mann on purpose to annoy him." It must have been introduced by some one living east of the Penobscot, for those living where dogs were not used would have no interest in the matter. The still-hunters of the Union River would have been little likely to propose legislation on the subject; for they would have killed the dog that troubled them without waiting to have the law passed to permit them, and this law would not have protected them in the fall when they needed it most. Park always said that Mann was at the bottom of it. Note how this might have been.

Previous to the law of 1853, the law (R. S. 1840) had been: "Any person who shall kill any moose or deer between the first day of July and the first day of November in any year shall forfeit or pay for every moose or deer so killed the sum of five dollars." That is, close time previous to 1853 was from July 1 to Nov. 1, the very period when Park was hounding deer, for no one ever kept the law then. The fine was too small to be a requisite to anybody, as only half went to the complainant, so that Mann could have done Park no harm by complaining. But to allow the killing of dogs in close time—that is from July to November—would be the most serious injury possible. If Mann could compass that he had abundant revenge. Mann was not a representative at any time—"he hadn't education enough," said Johnson, his old rival, to me this winter. Whatever he did he must do through others. Supposing, then, that he argued with some representative the need of stopping hounding in close time, the advantages of killing dogs as the means of stopping it, and impressed on the legislator the fact that close time was the period of danger. When the close time is changed from the fall months to the winter and summer months, that representative is still acting in obedience to his constituency by urging that dogs ought to be killed in the new close time, while Mann, if he were guilty, loses the opportunity which he correctly sought, though gaining the letter of his desires. That this change in the game law which he could not help even if he had known it, should take place at the same time that he did desire a change is natural enough, while only such a desire as his could explain the singular provision which allows the use of dogs part of the year, but makes their lives a forfeit at the period when they were least likely to be used. For this is not aimed at crust hunting, as may be seen from the fact that moose may be killed with dogs until the middle of March. It was an unfeathered shaft that flew aslant.

Until a better explanation of the subject is given we may assume, as Park did, that the first law permitting dogs to be killed was framed from personal malice. Even if he were wrong, the history of the law would justify such a supposition. Good it has never done, could not do. The man who loses one dog will buy two more, and will forever hate the man who killed his pet and companion. If dogging is illegal it should be stopped, but never by killing the irresponsible dog. Arrest the offender and fine him—he will submit; but any attempt to kill his dog will be resisted, and in one way or another will harm the cause in which it is done or the man who does it. The slaughter of dogs has caused deer dogging to thrive in this State. Doing it in the name of the law has merely brought the law into disrepute; for it is now and long will be considered a worse offense to kill a dog than to use him in running deer. To arrest the man brings credit to the law and little or no danger to the officer; to kill the dog has just opposite effect.

I will give three examples of the results of dog killing, selecting for obvious reasons some of long standing. In every case I could give fullest particulars and could cite other parallel instances. In the first a woodchopper, hearing a hound, stepped behind a tree and cut out her shoulder as she ran past. He escaped with his life, but it was of little value to him for some time. The dog was owned by Louis Ketchum, the well-known Indian guide, who could give full particulars although at the time he was miles away, having lent the hound to those who had her. The second occurred on Long Island in Bluehill Bay. There was a special law that no deer should be killed on the island, but an Indian named Joe Orons, whom I suppose to be dead, met there with companions to evade the law by driving deer into the water and shooting them from the canoe. He had just killed one in this way when a man, said to be named Henderson, shot his dog. The Indian instantly threw down the gun he had, thinking the range too long for the buckshot barrel, and seized a rifle lying beside him. Careless handling caused a premature discharge, which tore open his coat sleeve and burned his arm, but he once more changed guns and fired at the man before he disappeared. He then searched a house on the island to find him, and failing in this was with difficulty restrained from doing great damage to personal property. Almost any of the Oldtown guides could give further particulars. Nor must it be thought that only an Indian would do this. A white man would do fully as much. I know of one man, now deceased, a selectman of his town for many years, a man honest and trusted and with a host of friends, who declared that he himself had walked many miles and spent two days in trying to kill the man who shot his dog. Nor need reference be made to the two wardens who were killed for attempting to take a dog from its owner, in order to prove the hazard of doing it.

Not only is it dangerous to kill dogs, but of late this danger has been greatly increased because most of it has been done illegally. It is not lawful to destroy any dog not actually engaged in hunting, either on the track, or swimming after the deer, or holding it at bay. Yet most of the dogs killed here for some years have either been poisoned or taken from their owners and killed before their eyes. Need we cite the instances of three dogs taken from one canoe and killed, of four belonging to one sportsman, of one and two in many instances belonging sometimes to residents and sometimes to visitors, but in every case killed while not engaged in hunting? Nor has the least discretion been shown in the dogs selected. One well known and decidedly popular contributor to FOREST AND STREAM has given me his own experience. "When I was in Maine, Mr. H. and I had a narrow chance," he writes, "for the lives of two liver and white pointer dogs (which any person could tell were not hounds) notwithstanding the fact that we offered to show what they were by working them on game." "Hounds and greyhounds, mongrels, spaniels, curs, shoughs, water rugs and demi-wolves," all that in the catalogue are cleft by the name of dogs, to misquote—have lost their lives or had them endangered by the law

that however it has been enforced, says only, "Any person may lawfully kill any dog found hunting moose, deer or caribou." Nor has the poisoning been legal. Most of it has been necessarily laid out contrary to law prohibiting its distribution within five-eighths of a mile from "any highway, pasture, field or other improved land;" and any one can see that while hunting the dog would not take poison—"unless he was a very poor dog," adds one hunter slyly. True, the law does not prohibit poisoning dogs, but if they will not take it while hunting and cannot be killed when not hunting, there is barrier none the less strong for being unexpressed. If not killed in the act, the dog cannot be killed in any way, for he returns to his owner who becomes responsible according to the law which says, "Any person owning or having in possession dogs for the purpose of hunting moose, deer or caribou, forfeits not less than twenty nor more than one hundred dollars." "Any person may lawfully kill any dog found hunting moose, deer or caribou," runs the law, not a wise provision at best, but infinitely unwise as it has been administered. Consider the provocation that has been given, the illegality of methods used, the domestic animals killed and supposed to be killed by those engaged in this work, the peril to human life, that this work was kept up for three years in spite of all remonstrances, and it is not hard to see how murder grew out of it as the stalk from the seed.

Even if it had not been done by officials and under orders it would have caused trouble; but those set to protect and defend the law broke the laws, and disaster was inevitable. The Commissioners—that is Mr. Stilwell, who represents them here—had timely and frequent warnings of what would happen. It was not chance that caused the death of Hill and Niles; it was fate. By the same work we shall have more of it unless care is taken. That murder was no surprise, but we expected it nearer home. It was in this way that I heard it—for I was out of the State that year and my father wrote it me:

"12 Nov., 1886.—Dear Fannie: I send two dailies. You will see by reading, that as Meg Merriles told Dirk Hattera'ck, 'It is sown; it is grown; it is heckled; it is twisted.' What I have so long expected and foretold has come to pass, and in the way I predicted—by killing dogs. I went to Stilwell twice last month to talk to him about this very thing. He asked me only a short time ago [if] I really believed any man was bad enough to kill another. I told him I did not think, I knew it, and it would be done if he kept such a set of men as wardens and allowed them to do such things. I do not know any of the parties. They may all be angels for all I know. I know the place exactly, as I have slept on the very same spot."

The original of this, with other important documents published and unpublished, is in the hands of the editor. On receiving it I formed the resolution which I have held to ever since, not to stop until the time came to prevent worse evils by showing up these. Unknown to me my father had decided to do the same, had written to the editor of this paper about it and then withdrawn because the danger was not then pressing and the Commissioners needed what support could be given. The danger is here again. We have a new set of laws yet untried, and worse conditions than at first for enforcing them. In giving the results of years of study of these matters, it must again be stated that there is no personal advantage to be sought; no desire to present more than can be proved, but the necessity of saying less; no hatred to any class, for none have injured me; no wish to bring our wardens into disrepute, for some of them could not well have blacker reputations than they now wear; no wish to disparage the Commissioners, for their works are their judges; no thought to stir up trouble—for there is more abroad at present than most realize. To prevent trouble, to save respect for those broken laws before it gets too late, to diminish the danger to human life—that of these wardens and of better men than most of them—is the only possible advantage.

FANNIE PEARSON HARDY.

KANKAKEE MARSH.—Chicago, May 20.—In a recent issue of your paper your talented but misinformed Chicago correspondent accuses the members of the Cumberland Gun Club of spearing fish on the Kankakee Marsh. I am the only member of the club that has had a spear on the marsh this spring, and my only spoils were a few dogfish. Some of the members of the club will go gunning (or spearing) for friend Hough unless he is a little more careful how he advertises them as violators of the game and fish laws.—GEO. T. FARMER.

CHICAGO, May 20.—Editor Forest and Stream: Your issue of May 6 over signature of E. Hough you state that the members of the Cumberland Gun Club have been spearing pickerel on their marsh. On behalf of the members of the Cumberland Club I am authorized to deny this declaration, and say that not a member of the club has engaged in any such practice, and would thank you to correct the statement in your next issue.—W. L. SHEPARD, Sec'y.

TEXAS GAME LAWS A FARCE.—Beville, Tex.—Seeing the great slaughter of game going on out of season, our club has offered a reward of \$25 for information that will convict any one of violating the deer law. An effort will be made to have the turkey law changed, as at present it is worthless to southwest Texas. In a law to apply properly to this section, the open season should come in about Aug. 15 and close April 1. I believe the State labors under another disadvantage, that is we have no game wardens. The old saying, "What is everybody's business is nobody's business," applies well to this case. Nine times out of ten one neighbor will not report on another, and so it goes; and the game laws are almost daily violated. Bob White is holding his own very well, notwithstanding the pot-hunter and the law-breaker, and the fall shooting promises to be fine. The festive gobbler was never more plentiful or boisterous than at this time.—T. J. S.

NEW JERSEY QUAIL.—Smithburg, N. J., April 25.—The prospect for quail shooting in this vicinity next fall is very good. A good many wintered over and can be heard whistling in all directions. There is quite a number of ruffed grouse in the pines south of this place.—B. L. W.

RAMBLERS' OUTING CLUB.—New York, May 19.—The Ramblers' Outing Club has reorganized with the following officers: Pres., F. E. Fox; Treas., W. G. McCabe; Sec'y, R. C. Russell. The club holds its weekly meetings every Monday evening.

"BORES AND SHOOTING QUALITIES."—My letter in your paper of April 30, about large and small-bore shotguns, contains so many printer's errors that I beg to draw attention to them, fearing that the meaning of some of the sentences may be misunderstood. In paragraph seven "1½drs." of powder should be 2½. In paragraph eight, second line, the word "superior" should be inferior. In paragraph seventeen the charge of shot for a 20-bore is printed "4oz." instead of 3oz. On page 239, paragraph two, the word "larger" should be longer. In paragraph five of the same page, on line fifteen, the words "with a moderate cylinder" are, I think, inserted through some oversight. The sentence should begin: "On the other hand, both the 16-bores are splendid performers with buckshot."—J. J. MEYRICK (Devonshire, Eng.)

WISCONSIN WILDFOWL.—Appleton, Wis., May 28.—I notice what your correspondent "Greenhead" has to say in last issue about Wisconsin bass, and that they are to be protected, etc. I also read what he says in another column under the head of "The Wisconsin Flight," referring to water fowl. The game laws as were in force this spring forbid killing at that time. If one section is so readily violated, where is the virtue in any of the game laws?—C. V. Y.

A SPRINGTIME HUNT.

"If I can get away I'll take the boys and go up to the Shanty for a last hunt before the first of May," so said my father not long ago. I knew that it would only be a question of life or death that would keep him at home, so concluded that it would be possible for him to "get away." A little later that same day brother Ben confided to me that it "was the last Saturday before the law went on, and he and Harold did want to go hunting most dreadfully." Then I told him of the little scheme his good father was planning, and a happier boy could not be found. To go hunting on Saturday was fun, but to stay out of school and stay over night! Well, in a boy's estimation, what could be better. On Monday active preparations were begun. Decoys hunted up, guns put in order, shells loaded and all the numerous things done that are necessary for even a day's outing. All this was accomplished by the boys between school hours. Tuesday an uninitiated observer might have thought that the whole family were contemplating an immediate trip abroad from the confusion. Blankets and rubber coats were strapped up, boxes of ammunition, with hunting coats of various styles, adorned the chairs. Last, but not least, a table filled with good things to satisfy the innards of man were waiting to be packed. We could hardly get any one to dinner, and I think the cook was ready to give up in despair. After ringing the bell repeatedly, the family were assembled. The boys went back to school as they were not to start until 4 o'clock. About 2 I took the horse and carriage and drove father up to his boathouse and watched him set out on his sail of five miles up the river. How I did want to go and I am afraid I very often envied my brother his good times. My part of the hunting expedition generally consisted in watching that nothing was forgotten and of remembering where caps and coats were put and then seeing him off and being ready to meet them on their return. The shanty is owned by a party of gentlemen and furnished with beds, stove and dishes. While of late years the hunting has been rather poor still the business men who can only leave for a day or few hours at a time enjoy going up, and if they do come back with an empty bag they have had the benefit of the rest from care and usually come home refreshed. Father packed the tiny craft with his share of the traps—extra coats and a large bottle of milk were stowed up front—the gun and shells in the middle, and putting up his sail, with paddle and rope in one hand, he pushed off and was soon out of sight. When I returned to the house it was time to get the boys off. They were wild as Indians and such hurrying into camp suits, then the carriage was again filled with guns, etc., and we started the observed of all observers, the whole neighborhood being aware of the fact that the Glovers were going hunting. The boat, another tiny duck boat, with room for two and no more, was soon ready to start, and with many injunctions "to be careful" the boys were off and I turned old Billie homeward. The next day our hunters returned, tired, but happy, and brought 4 ducks and 8 snipe. As they sat and talked after supper I took down these few notes which I give in father's words:

"Well, I reached the shanty about 6 o'clock, having made several stops, but didn't get any ducks. I got the key to the shanty and began to get supper. It grew late, the boys didn't come, and I got so uneasy that I jumped in my boat and pulled down the river. I only went a short distance and I heard them coming—the wind had died down, so they had to pull most of the way. We enjoyed our supper, and about 8 o'clock were joined by Mr. H., who drove up from town. We went to bed a little after 9—I can't say that any of us slept much—and at 3 o'clock we got up, took a hasty breakfast and all started for the marsh. In the first half hour I did most of my shooting. I never saw ducks decoy so well; in fact I almost forgot to fire my gun I was so astonished to see a flock come down into the water while I was in plain sight—I killed two as they rose and another dropped to my second shot. The next one I killed at long range, Mr. H. brought down two, and that ended the ducks—we saw no more, so we went over to the low meadow grounds to try for snipe. Eight fell to my share, with five for Mr. H. We concluded we would go back to the shanty for dinner, as it was then after 10 o'clock. We found the boys had not had much luck, but any amount of fun. Harold shot a mud hen which sank never to rise again. Ben had two blackbirds. The boys had succeeded in spearing some fish the night before, so they made an agreeable addition to our supplies. It will be the last hunt until September, and then, if I am alive, I hope to go out. I feel as if I was about seventy-five years old to-night, but I'd go again to-morrow if I could;" and so saying he rose and knocked the ashes from his pipe and bade us all good night.

GRAND HAVEN, Mich. ELLYS H. GLOVER.

Sea and River Fishing.

THE FULL TEXTS of the game fish laws of all the States, Territories and British Provinces are given in the *Book of the Game Laws*.

WASHINGTON CITY NOTES.

ONE of the largest rockfish or striped bass that has been in the Washington market for some years was 4½ft. in length, girth 5½in., exhibited by Javins & Sons; it was taken from the Potomac River at Stony Point, 30 miles below Washington City. The weight was given at 96lbs.; but I often think that 80lbs. would be nearer the mark. It was taken in a shad seine operated by Capt. Joseph Caywood. Last year, Mr. Neitzey tells me, their seine took four or five large rockfish each day, but this year the average has been but one a day. They seldom go over 50lbs., but frequently weigh from 30 to 50lbs. each. A run of large rockfish is usually followed by a slack in the run of shad, and, therefore, the seiners do not like to see them come in.

Speaking about the flavor and excellence of these large fish, I hold that they are good. A 35 or 40-pounder boiled and served with a good dressing or *garum*, is hard to beat in the fish line.

April 30 I saw the first small-mouthed black bass in market from the Potomac. Only a few of them, half a dozen, aggregating about 6lbs. Two of these were 1½lb. fish, and appeared to be full of eggs.

"Frank Fields hooked a 10lb. catfish in the Anacostia this morning."—Star, April 25, 1891. We hope Frank has landed it.

You have heard of the large German carp (24lbs.) caught in the Potomac. A boy of 11 years caught another big one weighing 22½lb. from Long Bridge last

## SIX YEARS UNDER MAINE GAME LAWS.

VIII.—AN ASPECT OF THE GRAVES CASE.

THE murder of the two wardens, Niles and Hill, by Calvin Graves, in 1896, was the means of calling forth a sympathy which to those who are intimate with all that had preceded must have seemed unaccountable. I do not refer to the reckless talk of desperadoes and malcontents who delight in upheavals; but sober-minded men of character and good repute, who disapproved the act, felt and still feel sympathy for the actor. A notable instance of this is, in what has happened before often enough when the side which wielded authority did not do it according to justice.

Of course this murder has been extenuated in every possible way on the one hand, and has been intensified with equal ingenuity on the other. It is the province of this paper to enter into any discussion of the case—whether it was in self-defense or otherwise, provoked or not, deliberate or the impulse of a fiery moment. It was done—double murder. The courts have investigated all the facts pertaining and by their sentence expressed unqualified disapproval. There can be no reason for seeking to differ from their decision and to discuss the case here or seek extenuations would virtually be doing this. Yet there is an aspect of the case which did not enter into the trial in court that is of great importance in producing the sympathy which I find exists toward Graves.

The trial was for murder. It did not therefore concern itself with questions whether Graves at the time of committing this act was engaged or purported to engage in breaking the game laws, and the sympathy which that investigation of the records seemed needless after his statement, has told me that no evidence was brought on to show that Graves was hounding deer. The only testimony on the point, he said, was that McFarland, his companion, was at the time of the killing, and that it was about noon tied to his belt. The keen eye of the public took note of this fact and the attempt has been made on Penobscot waters at least to show that Graves was the one attacked. Without in any manner pretending to settle the point, indeed without considering it important except as proof of the sympathy for Graves, we may examine the grounds of this claim:

The place at which this deed was committed is a peculiar one. Five lakes of the same chain—First, Second, Third, Fourth and Fifth Lakes Machias—are arranged almost in a circle on the eastern shore of Lake Umbagog near to First Lake, with Fletcher Brook cutting off half of the remaining distance, the whole enclosing a piece of land nearly, if not quite, thirty miles in circumference. This unfits it for hounding, because the deer when pursued are quite sure to enter one of the other water lakes as into the one which is watched. All who are experienced in the use of hounds declare that it is one of the poorest places in the State for that work. There are deer enough within this region, but they cannot be obtained with hounds. Yet Graves and McFarland were hunting here on Nov. 8. Either they were not hounding deer or they did not know their business, say those who know no more of the circumstances than was published in the newspapers. Not only is this section entirely unfit for the use of hounds, but the deer are hounded by water and devoid of natural runways, but there are no boats on any of the five lakes except such canoes as the Shaws of Lower Dobsy own and keep for their own use on the further side of Fourth Lake. It is well known that Graves and McFarland were not hounding deer, but they were in a county where deer could not be dogged successfully, where they had not the ordinary means for pursuing them in the water, where there was little chance that they could be shot at, and where there was no land because most of it is too flat to afford runways, yet they had a dog with them. It is well known here that there are dogs, rarely but yet sometimes found, which are trained to keep close to their masters and by whining when they catch the scent of a deer direct the attention of the hunter to the right point. When the deer is wounded they will keep the trail when otherwise the animal might be lost. These dogs are sometimes owned and used by still-hunters here, but the practice is not general. Because the location in which Graves and McFarland were hunting was so unfavorable to the use of hounds in the usual way, because also when they came back after an unsuccessful hunt the dog was with them, which would hardly have been the case if he had been put out after a deer and lost him, it has been supposed by those willing to put the matter in as good a light as possible that the dog was one trained to aid in still-hunting and that the men were not engaged in hounding at the time. If this is true—and it is purely a supposition—sympathy with the accused would be the natural consequence; but it would follow equally if the supposition were merely a probability. Having seen enough of the ground myself to judge the matter, and having conversed with those who knew it thoroughly and also knew about hounding deer, there seems to be nothing inconsistent in this theory, though it is probably nothing more than a ingenious explanation. Graves might have been true if events had been different. No confidence need be placed in the truth of this supposition, for its influence lies in its existence and the absence of known facts to disprove it. It throws the burden of the crime upon the warden and partially exonerates Graves, which is all that is desired. For, if this is true, though when strictly construed such a use of a dog might be found illegal, it is so different from ordinary hounding that no one here would consider it a violation of the law. Then to the idea of attempting to take a dog from its owner instead of fining the owner, is added this still further complication of taking a dog which was supposed to be used in a way contrary to the statute, when the owners, by the testimony given in court, were attempting to carry it off to avoid a quarrel which the wardens themselves provoked.

I give this not because it has any value as fact—probably has none—but because it shows how keen people have been to discover extenuating circumstances, how they seized on the slightest evidence to construct a defense, how they have not ceased to continue to do so, how prevalent this sympathy may be I cannot tell, having deemed it unwise to discuss the matter more than was necessary; but I never heard a woodsman or back-settler speak upon the subject who did not feel less severe in his judgment of the deer than of the deed. On Machias, where the event occurred and the men are known, a very

different sentiment may prevail, but on Penobscot, where personalities do not enter into opinions formed and the knowledge of the facts is very likely limited, there is a sympathy felt and expressed which must be recognized. The reports which I received second hand here are all in correct, the feeling is not by any means so limited in its extent.

Although not bearing directly upon the subject in hand, I have deemed it important to speak of this sympathy with Graves and the tendency to find excuses for his deed, because a timely recognition of it is needed. The excuses may be flimsy fabrications, but the sympathy is a fact which must not be denied, and I do not find that in the records that I have kept for the four years past there is any material substance of it. It is a dangerous element in the present status—dangerous because the feeling is divorced from the ethics of the case, and exists side by side with condemnation of the act, dangerous because it does not stand as staunchly by the decision of the courts as it should, and also because it is shared by honest law-abiding men with the dishonest and lawless. Yet it is the inevitable result of certain given conditions. The representatives of the law had been acting unlawfully, and had alienated from their support a large body of people. Some of them had gone so far that their very presence in danger if they were beyond well understood limits of both territory and action. The provocation was great and long continued, of a kind very often most difficult to prove, highly exasperating to public feeling and yet not sufficiently damaging to property to warrant a recourse to law in the cases where proof could be obtained. Appeals to have the wrong suppressed were made and the petitions were disregarded. The dangers feared with sufficient evidence of what occurred under less irritating conditions were detailed and rejected as visionary. There was no retreat of the law, but the law was not much longer without being avenged, and it was only a question of circumstances sufficiently provoking and a man whose judgment or self control had deserted him to decide where the inevitable event would occur. It came like a great shock to the State, but to present part it was an arrow sped which slacks the tension on the bowstring and brings the bow back to its shape. The hunters, the back-settlers, the people of the smaller towns of eastern Maine were relieved from future fears and a sympathy with the one who had removed from them what might well have happened nearer home was natural. That the deed seemed not to be prompted by personal malice or premeditation removed much disapproval which would otherwise have been felt. That so good excuses as these are given could be constructed without violence to any known facts was considered an additional reason for allowing the impulse to get the better of the judgment.

I would not wish to over-estimate either the amount or the extent of this feeling, too common any where, far too much so on Penobscot, but it is not to be despised, but with the recurrence of conditions similar to the old ones its power will be felt as a serious obstacle to the course of justice. Just how this occurs need not be described, but there is a way already suggested by some which makes it seem better to avoid that to incur the risk. For this danger to the laws and their action seems to me a more serious evil than the loss of life which is also to be feared. Concerning the latter there will be differences of opinion; but the ones to underrate it will be those who know least about it, and those who know most will not be likely to tell all they know. In eastern Maine there is continual risk that a repetition may recur, and there is a fear and distrust lest the old conditions may be renewed, thus precipitating the danger. It is not expedient to say why it seems necessary to speak of this sympathy for Graves further than what has been said, but I have heard too much on the subject without seeking it, and been forced to read too far between the lines sometimes when little has been said, to consider the matter one of slight importance, local, restricted to comparatively narrow limits, it will spread fast enough; if of wider range it is still worse; but as a fact it must be faced and considered. There is no excitement on the subject now, and this is the time to prepare for the eradication of such a sentiment as this and the protection of our laws in the form of administering justice, by a just and equitable enforcement of the game laws by men who will be respected for their personal worth as well as for their office. Otherwise there is danger. A careful study of sociological conditions here and a good acquaintance with the history of the State for the past sixty years have left no doubt in my mind that murder has been historically much more common than most suppose; that it still is likely to occur at any time when personal revenge or a rude but extra-legal sense of justice demands satisfaction; that it may be committed by men who are not dishonest and who would scorn to do a mean act, and that if the man who does it has borne a fair reputation previously and acts in a way for which any possible justification may be found, he will obtain a sympathy which will cause the law or largely annul the effect of the sentence. Under our game laws, administered as they have been for the past few years, this is sure to happen in event of another Graves case; for the public conscience has gone wrong and we who have grown up under this strained and distorted condition of our officers of justice have our unjust and rights have been made wrong, hardly know what right is and what wrong is in game matters.

FANNIE PEARSON HARDY.

NORTHAMPTON, Mass., lovely for its situation and famed as the seat of Smith College, is a center of culture and learning and refinement, but at Barr's, its principal restaurant on the main street, they serve quail on toast in the month of June. If there is a gun club or a game association in Hampshire county, we commend them to secure a revision of the Barr bill of fare.

TOURIST TICKETS.—The Chicago & Northwestern Railway Co. has placed on sale tourist tickets at reduced rates to principal points of the West and South, including the Hot Springs, Idaho, Montana, Utah, California, Oregon and the Puget Sound country. Many of these excursion tickets give the holder privilege of going to one or more of the above named points, and favorable arrangements in the matter of return limit, stop over privileges, etc., commend them to the special attention of the tourist and traveler. Full information regarding these tickets may be obtained at any ticket office, or by addressing W. A. Thrall, Gen. Pass. & Ticket Agent, C. & N. W. Ry., Chicago, Ill.—Ad.

## Sea and River Fishing.

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## ON THE NORTH SHORE.—VII.

[Continued from Page 360.]

ABOUT 10 o'clock the steam tug arrived, bringing A. Hon. Aaron Turner, the publisher of the Grand Rapids *Eagle*, a fishing companion, and also a naphtha launch, which was in tow and which had just been purchased in the East by the veteran editor, and I might also add angler, especially for the outing he was now taking. I have no desire to make any disparaging remarks about the use of a naphtha launch on Lake Superior for a trip of this or any other kind; but simply state that since the Atlantic has been crossed by a slight man in a smaller boat, there is a prospect that this naphtha launch, which is about 20ft. long, might with safety operate here. But I will assuredly cling to the Mackinac sailboat as the safer of the two. I hope Mr. Turner, who is an old friend of mine, may have many a pleasant trip with his launch, which, in justice to the little craft, must say steams along o'er the gentle waves like a bird on wing.

The Turner party camped in our immediate vicinity, in the afternoon, accompanied by Capt. Ganley, took the naphtha launch and rowed to the other side of the bay to try for trout, but returned in the evening without a scale.

Ned was pleased to meet with the old veteran guide of the Nepigon, John Borshea, whom Mr. Turner had brought with him from the "Sox." The latter's many reminiscences of angling on that famed stream which deeply interested me. John stated that he had been upon the Nepigon early this season with a party from Pittsburgh, who found the trout more plentiful than ever, owing, he thought, to the fact that they had made a trail. The men went poorly provided for comfort, having thin blankets and rather slim commissary stores, and were, therefore, soon sick of the trip. The Turner party came over to our camp about sunset, and when they were in the boat they had their mattresses in beds of balsam a foot deep or more, our heavy blankets, mosquito bars, inviting pillows and the like, were high in praise of our thoughtfulness, and declared that we had made camp life both a charm and a delight. Ned and I being old campers and on the shading of sixty, had much to say of a study of camping, believing that comforts never came amiss in an outing of this kind.

Ned received by the boat a bundle of papers and some books, which were sent by his thoughtful wife from the "Sox." These were very acceptable, as the papers gave us the first news from home since being in camp. The afternoon had been exceedingly bright and beautiful, and as the evening approached cloud fleeces of orange pushed up over the edge of the west, while a fragrant breeze caressed the lake, sending lilac shudders over the gentle water, the scene was indeed most picturesque. The evening being cool, as they always are in this latitude, a roaring camp-fire was built, around which gathered the Turner party, Capt. Ganley and his brother, and the swarthy boatmen, and then story telling and discussion of varied topics, from law to theology, were indulged in till a late hour.

Capt. Ganley announced as he departed that the tug would leave in the morning at 6 o'clock sharp, and advised us not to tarry over our tea and trout if we desired to take passage with him, as he had decided to return man as far as the timetable was concerned. We impressed this fact duly upon our boatmen, and then were turned in to court "tired nature's sweet restorer, balmy sleep."

And arose early in the morning and awoke our boatmen, who did not seem to relish the idea of going up the lake. We, however, hurried them with the breakfast and the packing, and just made the boat as she was leaving the dock. Joe did all he could to have us left, but being up to his contemptible tactics he did not succeed. We ran along a coast replete in bluffs and cliffs that was every minute increasing in picturesque beauty. Arriving at Mamaine, where Mr. Turner and his party disembarked, and where they expected a most delightful morning, their first reaction of opinion was that the watery air with dainty fly the peerless prince of the spotted robe. The Rasaine brothers have a large fishery here, which has been carried on at this place for the last thirty-five years, having descended from father to sons—the present proprietors.

It is a lovely place, and just before the veteran angler left the tug he took a sweeping glance with an admiring eye at the massive bulwarks of rocks that lined the abrupt shore, and then turning to the verdureless islets gleaming in aged gray, remarked, "It is beyond power of expression." "It was evidently a landscape that any lover of grand and sublime nature would rave over.

"For all rocks at random thrown,  
Black waves, black crags, and banks of stone,  
As if were here desired  
The summer's sun, the spring's sweet dew,  
That clothe with white a varied hue  
The bleakest mountainside."

From Mamaine onward the character of the shore changes. Instead of the low sandy beach, we now pass along isolated rocks of greenstone, rising abruptly from deep water, generally bare, but sometimes covered with a tuft of trees at the top. The rock which about Gros-Cap is sandstone, often unaltered, now becomes more highly metamorphic. But the larger islands are sand under the cliffs continue of sandstone, and are flat and low for some distance to the northward. The line of the cliffs is continuous, rising at a distance of a quarter of a mile at most from the water, with an average of 200 or 300 feet in height. The surface, down to the very beach, was covered with trees; indeed, in many places, or all, that with the exception of some ancient terraces of rock and gravel, and a few summits of bare rock, the entire shore of Lake Superior as far as we went is continuously covered with forest. The trees continued the same, except that the white pines and maples had disappeared,

line. Seven miles of the stream has been taken up by the miners, and quite a number of men are at work ground sluicing. From a man who passed through the Park a few days ago we learn that very little gold has been seen. One "clean-up" did not pay the miners half wages; he claims that but a small portion of the ground claimed, if any, will pay to work. He also says that this year will prove if there is anything worth working for. If not the camp will be abandoned by October. Nothing is known here about the third camp, which is said to be near the headwaters of Graybull River, and is a placer camp. It is claimed that the silver camp has some very valuable mines or prospects, and many think they will not be taken in when the lines of the new reserve are surveyed. If they are valuable mines and on the reserve, every effort will be made to have the lines changed so as not to include them.

A fire destroyed over seventy tons of baled hay at Ft. Yellowstone (Camp Sheridan) a short time ago. For a time it looked as though it would be impossible to save the buildings. Fortunately the wind was not high and in a favorable direction. This fire was supposed to have been started by tramps.

The Government is expending over \$50,000 on buildings and improvements for the new fort at the Mammoth Hot Springs. A large force of men and teams are employed laying foundations and getting material on the ground. Hundreds of men and teams are at work for the Government and contractors on the new wagon roads. More work will be done and more miles of road completed this season than ever before in the Park.

There are now at the Mammoth Hot Springs a few animals belonging to the National Zoological Park captured by the Smithsonian hunters. These are elk, antelope, bear and foxes. All animals captured will be held at the Hot Springs until after the tourist season closes. They can be seen by all visitors to the Park.

Small bands of buffalo are reported, and quite a number of young, showing the number of these animals in the Park is increasing.

I constantly see accounts in the papers about Robert Ray Hamilton, who was drowned in Snake River a few miles below Jackson's Lake, Wyoming. It is said that he has been seen this time in the National Park; the man who claims to have seen him did not speak to him. Mr. Hamilton was accidentally drowned while trying to ford Snake River last summer; his body was not found until ten days after. A party of gentlemen from New York, who were camped near where he was found, recognized the remains; the cold water had preserved them from any change. As there is no settlement within over a hundred miles, he was buried at Jackson's Lake, within a short distance of a hotel and sportsman's resort in which he was interested. Since then sensational writers have been having him appear in all parts of the world. Others have drowned him all the way from Jackson's Lake to the mouth of the Columbia River. It is a pity he can't be allowed to rest quietly in his lonely grave beside Jackson's Lake. Mr. Hamilton was the eighth man drowned in Snake River last summer. Every season sees several persons drowned in the swift mountain streams of this section, but very seldom within the boundaries of the National Park. Most of the guides know and understand the danger of attempting to ford the streams when they are at all high or deep. The parties who are drowned are always alone, are without guides, and do not know their danger or the strength of the currents.

The game in and about the Park are very kind to show themselves to visitors. Very few people have been through this season who have not seen some of the wild animals. Bears appear to congregate about Mt. Evans and the Blacktail country, eight having been seen in one day. One large one killed a small grizzly cub that was chained up at Yancey's Station. The cub was intended for the National Zoo. Another large bear that had been around the hotel at the Lower Geyser Basin was captured in a trap and sent to the Smithsonian Institution.

A STREAK OF LUCK.

IN hunting, more often than in any other pursuit or recreation, does the unexpected happen, and, in fact, one of the chief charms of the sportsman's holiday is this very uncertainty as to what beast or bird of sport his next step in the jungle will bring him face to face with. Nor is the most elaborate preparation at all likely to be followed by corresponding success; on the contrary, how often does the hunter, with but a single cartridge in his belt, or with an empty rifle on his shoulder, find himself suddenly confronted by the grandest specimen of the very animal he is in search of, which a month of effort has brought into sight.

Though all lovers of the chase and of the wilderness have more days of lost toil and effort than those of bright success, yet, naturally enough, all love best to remember the red-letter days of legitimate sport, and it is these same red-letter days that are most often written up.

All this comes naturally enough, and it is one of these same sunny days of the hunter's life which I wish to picture for the readers of our dear old journal.

Once again the venison had disappeared from the cabin, and the usual clamor arose from the kitchen, and although but three cartridges were found in the belt, and the sun was within an hour of setting, once more the old Sharps was shouldered and the old uncle turned his moccasined toes toward a timbered ridge to the southward of the cabin, in the hope that a deer might be found before dark. Express balls were in each cartridge, with a full shell of 120grs. powder behind each.

The ridge was covered with scattering trees of large timber, and the intervals grown up with brush and small pines, very little open ground to be found. This dense cover made good hiding grounds for deer during the day and I hoped that as nightfall approached they might be found feeding in the openings, when the chance for a good shot was quite probable if they could be approached in silence.

Strolling slowly along up the ridge, following a cattle trail which enabled me to proceed silently, I reached a point about a mile distant from the house, when feeling one of my moccasins becoming loose I sat down upon a log to adjust the lacing.

While seated, and still busy with my moccasin, one of the wretched little red squirrels common to our pine timber caught sight of me and forthwith began to chatter loudly and persistently, and an eagle perched upon a tall tree near by noticing me now for the first time screamed

loudly; another squirrel joined the serenade and the eagle's mate just then arriving from the lake, a few miles distant, perched near the first and joined in the reigning pandemonium until the old woods rang again. (These red squirrels are one of the very worst pests the hunter in our mountains finds to annoy him. Almost invariably their chatter, which is shrill and continuous while the hunter is in sight, will "give him away" to the deer, if any are near by, as they have long since learned to regard the squirrel's chatter as a note of warning.)

Suddenly the loud snort of a frightened deer a few rods to the left notified the squirrel of the success of his mean trick of intermeddling, and as the deer dashed away I ran forward a few yards to some rising ground in an opening in the hope of getting a flying shot. Nothing was to be seen, as they managed to keep well under cover, and after waiting a long time in the vain hope of their still showing up, I slowly journeyed on, muttering anathemas at the little meddling wretches who have so often on similar occasions contrived to rob me of success at the very instant of its culmination.

The sun had set and night was coming fast. Reaching at length the crest of the ridge, where it breaks steeply down into the valley of the Colville River, I paused upon its summit and took a long and careful survey of all the hillside, far as an opening appeared among the trees and rocks. At length something was noticed about 250yds. distant down the hillside, which in shape looked near enough like a deer to cause me to watch it intently; after a long interval of scrutiny a slight movement of its head satisfied me, and taking as careful aim as possible in the waning light I let drive.

Away went the deer with its flag bravely flying, and was soon lost to view among the trees, yet just the last jump made while yet in sight appeared to be a staggering one. Hurrying carefully and silently down the hill toward it I had gone about 50yds. when another deer was seen to stop in its run along the hillside and stand about 100yds. distant, looking nervously about from side to side in search of the hidden enemy. I did not want more than one deer, but I was not at all sure yet that I had got one, and taking a quick aim, fired again. The same result exactly followed. After a short run with uplifted flag it disappeared, and its last jump seemed awkward. Reloading I started in pursuit, when I saw still another deer running up the hill from below toward the one last seen, and when within about the same distance from me as was the last one shot at, it stopped. With my last cartridge in the gun I fired again and he fell in his tracks.

Hurrying down I found both the others, each within 50ft. of the spot where last seen. While rejoicing at this unexpected streak of pure "luck," I regretted the unnecessary killing, yet of course felt bound to shoot until I felt sure of meat. And let no sportsman bewail any supposed waste of good meat. Not a pound of it was wasted, our neighbors gladly assisting us in disposing of it.

And now came, to me, the strangest part of the whole adventure. Night was coming on rapidly, and in my haste to dress the three deer I stood the faithful old Sharps up against a small pine, and hurried to the work. When ready to return no gun could be found, although I hunted vainly while the fading light lasted, and not until my son and I came in the morning for the game did we find that while busy with my work the rifle had fallen from its place and slid down the steep hillside among the brush and grass, and only by another streak of luck was it found at all, as I could not be certain which of all the trees on the hillside was the one against which I had leaned it.

ORIN BELKNAP.

SIX YEARS UNDER MAINE GAME LAWS.

IX.—THE JOCK DARLING CASE.

NO game case of this State has enjoyed the notoriety of this, and none seems to have been less generally understood. Did it check hounding? Did it crush Darling? The full force of the negatives can be appreciated only by those very intimate with Maine game matters for the past year.

On account of the misapprehension which prevails regarding what was accomplished and the personal prejudice involved, it is of all the game cases on record the most difficult to explain. Few are so bound up in the personality of an individual, and few depend for their influence so little upon the facts and pleadings recorded by the court, so much upon what forms no part of the court record; for, as a legal decision, this case accomplished nothing of importance, but as a power to affect public opinion it had a weight entirely independent of and not commensurate with the court ruling. The case was decided in favor of the State, yet nothing that has ever happened in eastern Maine, not even the dog-killing, has done so much to hurt the Commissioners as the Darling case. The Hammond case, famous as it was, fell far short; for the injustice there, though flagrant, rested on a point of legal interpretation, while here it lay on an abuse of legal methods, for which, as the State was the prosecutor, the Commissioners were popularly held responsible.

The great interest which attaches to the case arises from the fact that with good ground for procedure, in a cause and against a man, both believed to be in the wrong, the case could have been so handled as, against popular prejudice and an adverse court decision, to win to both the cause and the man more tolerance and good will than they ever had enjoyed before. How this occurred will be shown. For the rest it need only be said that the principal charge on which the case rested was nowhere denied or doubted, and the decision of the court was manifestly just. Darling had for years been openly engaged in deer hounding. That he should be capable of overcoming the opposition which was very strong against him, of maintaining his insecure position and strengthening it, of winning good will which seems to be continually increasing, indicates an ability with which he is not popularly credited. It has been to his advantage that he has been under-rated by his enemies, but personal justification and personal conviction stand equally apart from the purpose of these papers. In speaking of Mr. Darling's character it is enough to say that he is better thought of near home than away from it; that his candor and honesty are believed in by those who know him, and that he is not and never has been an outlaw as is so frequently declared. This being admitted, what follows will not be hard to understand. As a review of the principal facts of the case in hand I will quote portions of two accounts published at the time in the newspapers.

BANGOR, Me., Nov. 4.—The officers say the arrest of "Jock" Darling, the Lowell outlaw, whose arrest for illegal hunting was reported in the *Herald*, is the most important capture made for years. Well-laid plans were made by Commissioner Stilwell and Detective William McNamara, of Boston. They claim to have secured enough evidence to prosecute to the full extent of the law.

They were out each day with the dogs, "Jock" putting out the dogs twice each day for three days, the guides doing the business the other two days. They killed four deer, one each themselves, Darling one and a guide one. They came upon Darling after the dog had run the deer into the water, just after he had shot him. They heard the report of the rifle, which was still smoking when they came up, and the deer was still warm. McNamara says they were obliged to kill the deer to accomplish the purpose for which they went there.

As the offense was committed in Hancock county, they were obliged to go into that county to swear out warrants against Darling and his guides. The warrants were sworn out and assistants were obtained. On their way to Darling's camp they met Darling in the town of Lowell and immediately arrested him. "Jock" wanted to go to his house to change his clothes and get his overcoat, which the officer consented to, but said one of them must go with him. But "Jock" insisted on going alone, which the officers would not agree to, and he was accordingly handcuffed, and Officer Davis volunteered to bring the old man to this city, while the others kept on to the camp in quest of the guides. Darling in some manner sent a warning to the guides, so they disappeared before the officers arrived. Darling had \$770 with him when arrested. Darling is charged with hunting deer with dogs, keeping dogs for that purpose, and hunting and destroying deer on Sunday.

The second, from the Calais (Me.) *Times*, gives some additional particulars. Both these extracts may be considered as official, since, aside from internal evidence, one comes from Bangor, the home of Commissioner Stilwell, and the other from Calais, the home of Game Warden French, who laid the plans, which Mr. Stilwell approved and McNamara executed. (The italics are not in the original.)

Darling's camp on Nicasious Lake is very difficult to reach, and is a sort of stronghold for poachers. It is fifty miles from any railroad station, and to reach it one must travel over a rough road. McNamara, accompanied by Swanton, of Milbridge, made their way to the camp with much difficulty, and engaged quarters with Darling. They hired his guides and dogs to hunt deer with, paying well for them. They remained five days. When McNamara and Swanton had obtained all the evidence they wanted, enough they thought to convict Darling on some twenty or thirty cases, they left the camp. As the offense was committed in Hancock county they were obliged to go into that county to swear out warrants against Darling and his guides. Accordingly they went to Bucksport, where the warrants were obtained. Constable George Davis and Sheriff James Swanton, with a formidable party, set out for Nicasious Lake. On their way to Darling's camp they met Darling in the town of Lowell and immediately arrested him.

Darling was arraigned at Bucksport, Monday, before a trial justice. The justice found Mr. Darling guilty and fined him \$40 for the deer which it was charged he killed, and \$40 for each of the deer which the other parties admitted that they killed. He was also fined \$50 a day for keeping dogs to hunt deer two days, the whole making \$250. On the question of costs there was some argument. Mr. Voss [Voss] suggested that the case of bringing seven men from Milbridge to Nicasious Lake to arrest Jock Darling be charged to the prisoner, to which Col. Hutchinson [Hutchinson] objected, and said that any one officer could have arrested Mr. Darling without a bit of difficulty. The cost question finally went over for the counsel to talk over and see if they couldn't decide upon something satisfactory. The case was appealed and will come before the Supreme Court at Ellsworth on the 8th of April next. Other cases stand against Darling. The officers who went to Nicasious to arrest the guides found that they had taken the alarm and fled. They will be captured later.

From these accounts it will be seen that a Massachusetts detective, not a Maine warden, was employed to collect proof, which of course was perfectly right; that this man then swore out warrants, which was not at all right according to our laws. Then seven men were sent all the way from Milbridge in the southeastern part of Washington county to Nicasious Lake in the northern part of Hancock county, via Lowell in Penobscot county—a long and roundabout journey, and expensive because train communication can be had only part of the way. What the object of this was it would be difficult to discover unless to add to the expenses and force the prisoner to pay them, as was actually attempted, for there was no possible good that they could accomplish. If the object was to arrest Darling's guides by force in the woods, there were not men enough sent; otherwise there were too many, since one unarmed man with a warrant could do more than a posse. If it was supposed that this number was necessary to overpower Mr. Darling singly, there was an entire misapprehension of his character. In like manner the use of handcuffs, though probably intended as an irritation, had no sufficient excuse. It was the officer's duty to keep his prisoner securely, yet in insisting on this point there was shown the same misunderstanding of Darling's position. Resistance to authority is no part of his plan, as lack of control is no part of his disposition. His word would have been the only guarantee needed; because had he attempted escape he could have been held on a graver charge than the one for which he was arrested, and had he wished to make the attempt he could have done it as well with the manacles as without them. Finally, the refusal to allow him to change his clothes was either a piece of short-sightedness or another unnecessary annoyance. According to the report published at the time, from information which must have been derived from official sources, Mr. Darling had above \$700 on his person at the time of his arrest. From a number of sources I am informed that he offered to deposit this with the officers as security, if they would permit him to change his clothes. There is every reason for believing the statement. Without questioning the officers' reasons for refusal, it is none the less true that the favor might have been safely granted. Here was full indemnity to the State against personal loss, and no real danger of any loss. Darling knew that the charge was a violation of the game law; that the penalty could not be anything more serious than a fine. Even if he had determined to abscond, leaving his money, he would be doing it on uncertainties, since he did not know the specific charge, and would be making himself the outlaw he had falsely been declared to be, thus practically forfeiting his home and all his other property.

The indignity of this treatment, which had to be admitted, reacted strongly in Darling's favor; and his non-resistance and refusal to accept interference in his behalf left the officers to bear the odium of unnecessary severity. Then it was found that he was arrested on defective warrants, and on these warrants fined not only for keeping dogs and for killing a deer himself when in the employ of McNamara (though here the employer is always looked on as responsible for the action of the guide), but for the three deer that Swanton and McNamara killed themselves. This was outdoing justice's justice, even as we get it in Maine game cases.

But these were not all nor even the greatest of the indignities offered. I had heard from a number of sources

the account of his arrest and trial, but this winter, wishing to get a continuous and accurate account, I wrote Mr. Darling about it. He also called during the winter, the first time I had seen him for many years. From his letter and oral statement the following account is compiled. Full references were given me for substantiating the different points, and I believe the account to be correct.

"At the time Stilwell sent McNamara to Nicasowis Lake to get evidence against me," he writes, "I had a sick daughter in Massachusetts. I had been there to see her, and the doctors told me that she could not live but a short time. The rest of my family was there with her. I felt so bad that I could not bear to stay there. I went home and McNamara and Swanton came to my house and wanted me to take them to Nicasowis, deer hunting. I took them to the lake and stopped one day. They hired each of them a guide and killed three deer. I killed one the day I was there. They killed two on Sunday and I went home Sunday. Before I went I saw them from the house at the lake kill two. I sat on the steps of my door and saw them shoot them. McNamara stopped two days after I came down and hunted and then went directly to Bangor, etc., and swore out four warrants for me and several for other parties and then went to Milbridge and got a warden and seven men all told and started for Nicasowis. I was at home watching the mail and the telegraph, expecting any moment to hear of the death of my daughter, when those men came. They told me that they had a warrant for me for violation of the game laws. I told them all right and I wished to see it. They would not, and took out handcuffs. I told them that such things were uncalled for, but they told me to have them on."

In the conversation on the subject, Mr. Darling said that he wished to go to the post office to get his mail, being anxious to hear from his daughter. He was forbidden to have his mail at all. He insisted upon it, and at last was permitted to go, the officer of course accompanying. Some men about the post office wished to remove the handcuffs, but he refused. He did, however, ask one of them to go up to the lake that day, which was done.

"They put them on," the letter continues, "and started me for Bangor with one man, and the rest went to the lake. When I got to Olamon I demanded the warrant to read it. I declined to go further until I read it." This of course was simple enough. Had he wished to do it, Darling could at any time have leaped from the open wagon, and the officer would have been unable to secure his prisoner again. At last the warrant was given him. "I read it. It was for killing four deer, and three of them was killed by them while with their guides." At Olamon they stopped for dinner. Mr. Darling requested to have the handcuffs removed while he ate. The officer would not do it. He refused to eat unless it was done, and for the third time that day the officer yielded. Before this, however, a well-known man, whose name was given me, not a resident of the place, offered to cut the link with a cold chisel. "But," writes Mr. Darling, "I wanted to let those men show themselves in full and I would not have them taken off, only when I ate dinner. I was taken to the jail in Bangor on Friday night and held until Monday, and then taken to Bucksport for trial, fined for killing four deer and keeping dogs in my possession, etc. I have forgotten the amount of the fine, costs, etc., but I appealed."

The confinement in the Bangor jail for two days was the worst part of the insult. Bail was offered by different men whom he named, and could have been had to any amount required; but it was refused. What possible excuse could there be for this? The charge was only a violation of the game laws; the fine at the most less than the amount of ready money which the officers knew Mr. Darling had in his possession; and unexceptional bail could have been obtained to any amount. The fact that the State was the prosecutor did not improve the situation. Instead of prosecution, some declared that this was prosecution. Of the foul condition of the jail at that time, the insufficient food and the wretched quality of the same, and the exposure to contagious disease, Mr. Darling gave a full account, which has been fully confirmed by others, among them Mr. Robert Jordan, the secretary of the Bangor Y. M. C. A.

On Monday Mr. Darling was taken to Bucksport, in Hancock county, for trial before a trial justice. Why this particular man was chosen, whether he was there at the time or not, I cannot say, but he was not a trial justice. He had been one formerly, but had lost his commission by moving out of the county, from Bucksport to Bangor. There is no doubt of this, as it was to have been one of the fundamental points of cases to be brought against Darling in the Supreme Court. The quality of the justice rendered can be seen from the fines imposed for deer which Darling did not kill, but saw the officers themselves kill on Sunday, which being close time in this State, made them liable to the fine. The fines and the costs, I am told, were made to amount to over \$600. In addition, as has already been said, the warrants on which this was done were worthless. McNamara was not a warden, and no one but a warden has the right to prosecute in a game case until fourteen days after the offense; according to section 18 (not quoted in the *Book of the Game Laws*): "After fourteen days from the commission of any offense hereinbefore named any person may prosecute by action, complaint or indictment, unless such warden or deputy has prosecuted therefor." Yet, McNamara swore out his warrants within a week of the time that he first reached Nicasowis.

At the Supreme Court at Ellsworth four complaints were brought against Darling, one for using dogs and three for killing deer. The latter were not McNamara's original cases but others substituted for them. None of these were tried, two being not proved and one quashed as defective. The dog case was tried and the verdict given in favor of the State. Now comes the much vexed question whether Darling was fined or not. He paid \$100, which is the sum set as the maximum fine for keeping or using dogs, but he paid no costs. The case was concluded on a Saturday, the other cases were to be brought up the next week. Whether they would have gone in favor of Darling or against him, whether he would have begun action against his accusers for grounds which were certainly good, cannot be told; for the judge and the counsel on both sides after conference agreed to settle this case and dismiss the others on payment of \$100 without costs. Mr. Darling rather reluctantly consented. He had two drives of logs which needed his attention, as this was in April,

and though he wished to bring the matter to a decisive issue the loss would be more than the satisfaction to be derived. Mr. Darling himself claims, and all those not personally hostile to him grant, there was a settlement, not a fine proper. "It may be entered on the docket at Ellsworth as a fine," said his counsel, "I do not know; but it satisfied all the cases and did not include costs."

No game case that we have had, on which so much depended, ever was so indecisive as this. It did nothing. It is even a little uncertain whether Darling actually was fined. He was found guilty of using dogs which no one denied, but the possible effect of even this was neutralized by the part which McNamara played. He was to appear before the April term of the Supreme Court as the principal witness against Darling; but at that time there was some little doubt as to the value of his testimony. In February, 1890, he was tried at Ellsworth on the charge of perjury. "In summing up the evidence he [Judge Redman] charged that McNamara was an unprincipled man working for money only, and unless he were punished the life and property of any citizen was in danger. Judge Clark held that there was probable cause and ordered the defendant to furnish bonds in the sum of \$800 for his appearance at the April term of the Supreme Court." But if he were convicted, Darling could not be; if he were acquitted, unless by the fullest proof, his testimony, whether true or untrue, would fail to affect the public at large. Without entering into the details, it is enough to say that by a disagreement of the jury McNamara was qualified to be sworn as witness in the Darling case.

We need not review the various points already given, which combine to make this case unique among those that are monumental for their injustices. The effect upon a people who love to see fair play does not need to be described; but more than anything else, what affected those who had any interest in game matters, was that the same might be tried at any time upon any one, whether innocent or guilty. It was not Jonathan Darling who was ill treated, but every man against whom there was ill will or from whom there could be any profit derived. Had it been a matter of interpretation, this would not have been so: the first case would be the last, and no one need fear; but this case was a precedent of the sort to be dreaded, a menace that the same might at any time be repeated.

FANNIE PEARSON HARDY.

OTTAWA, Kansas, June 12.—A farmer in the next county east of here was plowing in a field by the side of a brush patch, and becoming tired he sat down on a stump close to the brush to rest. In a few moments he saw a fox slip out of the brush and catch a mole close by, and it was soon followed by another fox, which tried to take the prey from its mate. Finding that quarreling over the prey was useless, the first fox, which was a female, ran off and disappeared in the brush. Watching carefully, the man saw where the fox went into the brush, and on going to the spot found her lair. He returned next day with some help and dug down to the nest which contained eight young. As foxes are rare in this part of the country he took them to town and disposed of them very easily.—F. B.

THE IDEAL MANUFACTURING CO. publish a very useful handbook of their numerous loading tools, among the new articles described being tools for loading rifle cartridges, and adjustable moulds for patched bullets, a bullet sizer and a loading flask. The flask holds lbs. powder, and measures out the powder in any required number of grains from 3 to 135; it is also graduated in drams, from 1/4 dr. to 5 dr. The flask has many merits which must insure its general adoption and use. The handbook supplies a convenient table of dimensions of round and grooved bullets as made by the several manufacturers for different arms; and there are useful hints about loading and caring for firearms which every user of a gun or rifle will do well to read.

THE LEFEVER ARMS CO., of Syracuse, N. Y., are out with a handsome catalogue of their excellent guns. It gives full list and descriptions of all the styles of the Lelever guns, with many hints which will be valued by gun users. Here is a way to load buckshot: "First put in powder and wad as above, then procure shot of size wanted, being careful to see that they chamber a little loose in muzzle. Put in one layer of shot and fill cavities with light, fine substance, like bone dust or fine sawdust, and repeat till three layers are placed in shell. This prevents the shot from swedging or getting out of shape when leaving muzzle of gun and gives best results."

WHICH IS THE OLDEST NEW YORK CLUB?—Oswego, N. Y.—Some of the enthusiastic members of the Leatherstocking Club of this city claim theirs was the first club organized in this State for the protection of fish and game. This club was organized March 20, 1860, with these officers: Hon. David P. Brewster, President; Frederick T. Carrington, First Vice-President; John Stevenson, Second Vice-President; Dudley Forling, Secretary. Will you kindly ask members of game clubs of the State to forward to you the date of their organization, that it may be determined whether this claim of seniority is well founded?—OSWEGO.

A NEW HAMPSHIRE DEER CASE.—Berlin Falls, N. H., June 15.—Frank Lang, Jr., and Spurgeon Lockhart, of Milan, were arrested to-day, on complaint of Fish Commissioner Hodge, and brought before Judge Chamberlain. Both pleaded guilty to killing one deer last March. Fines and cost, \$65.—COOS.

J. F. IVES, formerly of Meriden, Conn., and well known to Connecticut shooters, has accepted a position with Mr. H. C. Squires, to take charge of his bicycle department.

NORTHAMPTON QUAIL.—If the writer who sent note on quail served out of season in Northampton will supply his name (not for print) the note will be published.

SUNDAY TRAIN TO MOMENCE.—The Chicago & Eastern Illinois Railroad placed in service June 14 a Sunday train between Chicago and Momence, leaving Chicago at 8:32 A. M., and returning leave Momence at 8:45 P. M., thus affording anglers a fine opportunity to spend a day on the Kankakee River.—Adv.

## Sea and River Fishing.

THE FULL TEXTS of the game fish laws of all the States, Territories and British Provinces are given in the *Book of the Game Laws*.

### THE TROUT'S APPEAL.

Don't visit the commonplace Winnepesaukee,  
Or the rivulet Onoquinapasekesasanogog,  
Nor climb the summit of bare Moosilauke,  
And look eastward toward the clear Umbagog.

But come into Maine to the Welokennebacook,  
Or to the saucy little river Essiqualsagook,  
Or still smaller stream of Chinguassabunticook,  
Then visit me last on the great Anasagunticook.

—Bangor News.

### CASTALIA REVERIES.

Editor *Forest and Stream*:

I have not for a long time read so interesting a series of articles as those of Mr. Hough, describing the most remarkable trout preserve in the country, if not in the world. It reads like a reverie of an active and gifted mind. I had last season intended visiting this celebrated preserve with a view to the securing of unmistakable evidence of the success of one of my long-time pet ideas, of the preservation of this matchless game and food fish. Painful physical disability has thus far prevented the much desired visit. My only opportunity of viewing the celebrated stream has been from a train of cars. For nearly forty years I have heard of these waters in connection with trout, although Mr. Hough, for perhaps more properly some of the Castalia club members, appear to think I am mistaken. In 1854 I became intimately acquainted with Wm. J. May, at that time, I believe, city editor of the *Cleveland Herald*. Late one afternoon he came into my office and told me if I wished to see a nice lot of my pet fish to visit a certain drug store fronting the public square. I soon went to the store, and there saw in a tray-shaped dish mixed with broken ice, some fifteen or twenty (according to my present recollection) brook trout that would average lbs. each. Dr. Ackley, of the Cleveland Medical College, was present and showing them to visitors, he having caught part of them. I asked him where they were taken, and he replied that Dr. Garlick and himself caught them in Cold Stream, near Sandusky, and that they were in the habit of going there every season, and always with success. This incident is as vividly impressed on my memory now as if it occurred but yesterday, and with good reason, too, for these two gentlemen were at that very time engaged in the first successful effort in this country for the artificial propagation of fish (trout). And it was from that I received my first practical lessons in the fascinating pursuit which I have ever since endeavored to keep fairly abreast of. There is no possibility of my being mistaken in this matter of the Dr. Ackley episode.

And now I wish to say that Cold Stream and the Castalia Stream are one and the same. And I will further say, that I saw in Columbus last season some old men, interested in the lake fisheries (as I subsequently learned), and heard them say that there had been trout in that stream as far back as they could remember, and that it was no unusual thing to take them in nets off Sandusky. I asked the member of the Legislature from that district about it, and he told me that he was born and brought up in that region, that there had been trout there from his earliest recollection, and that he had heard old people say they were always there. Mr. Hough raised a query as to my age. Well, I am on the shady side of sixty-five, and I was only a student in "fishculture" when in Cleveland. I lived in Ashtabula county in my boyhood days for several years, some four miles from Lake Erie. On the farm where I lived there were two pronounced ridges, the lowest depression between being perhaps twenty feet below the highest ridge and nearly half a mile from it. In the edge of the mighty virgin forest then standing there a large spring of the purest soft cold water burst from the head of a shallow ravine, and passing along the depression nearly due west, received accessions from some smaller springs. The little stream thus formed contained some wide places of perhaps eight or ten feet, but in most places one could jump across it. It was shaded by bushes most of its length after it left the forest, and it emptied into Ashtabula Creek not more than a mile from its source. This little stream contained brook trout when I lived there fifty-five years ago. On a farm adjoining this there lived at that time an old man named Hill, the most remarkable hunter and fisherman in all the region and a pioneer settler there. He sat by our fireside many a long winter evening and told of his hunting and fishing triumphs in the region about. I heard him say that many of the small streams contained trout, but that the clearing of the land was also clearing the streams of trout; so it seems that fifty or more years ago, these matchless students of nature, the old woodsmen, understood the most prolific cause of depletion of trout streams. What was true then is true now, and to an increased extent, for the streams are not only raised in temperature to an extent fatal to trout, but they are also polluted in a multitude of ways too numerous to mention here.

How can we restore them? By restoring the streams to their primitive condition, and in no other manner. This is the gospel that I have been preaching for fully fifteen years past and I have, in consequence, been denominated a crank on that subject. I still endure, however, and have lived to see my oft-stated plans practically carried out and with phenomenal success. Of course, there are not many such locations, with accompanying conditions existing, in this country as Castalia, but there are numerous locations which approximate thereto and many of them will some time be occupied by angling associations. I have in several instances been consulted by parties who wished to organize movements of this kind and I think Mr. Hough's valuable articles will be likely to awaken an interest in this entirely practicable matter of establishing trout preserves in accordance with nature's matchless methods in many parts of the country, now almost entirely depleted of trout and where hundreds of thousands of dollars have been totally wasted by fish commission methods. And I wish to again repeat here, that artificial hatching, with all the attending trouble and expense, is entirely unnecessary.

I am writing this with physical discomfort, between intervals of couch-rest. In conclusion, I wish to say, that

## IN MEXICO.

OUR correspondent has been hunting in company with Mrs. Aztec, and thus discourse of it to his brother in "the States":

We started, J. and I, on a midnight train the night of May 25. We got to our station at daylight, and found the hacienda coach in waiting for us. We had a lovely ride of nearly ten miles in the dewy morning, and were cordially received by the young host. From then till Saturday the place belonged to us. The weather was too warm to save game any length of time, so we did not exert ourselves much in hunting. Besides the boss clerk was absent, and Don Luis had all the business to attend to, and so could not get out very often. On Wednesday he and I took a turkey hunt. He had a place baited in a cedar brake about twelve miles from the house, and we got up early and struck out, reaching the ground about half after seven. The turkeys were gobbling all around, but we sat down in the blinds and waited for them. Don Luis got an old gobbler about nine o'clock, and as we came back from our lunch where the horses were tied, at noon, there was a fine old fellow just showing up at my place, but he saw us too far and got away. About the middle of the afternoon two hens made their appearance at my corn pile. I made up my mind to get them both, but was so well hid that I did not have good use of myself. Don Luis is in the habit of shooting with a rifle, and had put me in a blind all shut in by trees. At my first movement one of them said *put* and I jumped up. As they started to run I rolled one over with the first barrel, and just as quick as I knew how, took a bead on the other as she rose to fly. But I didn't have elbow room enough and banged the whole load into a tree just as she went behind it. She flew up to Don Luis's stand and he clipped her under the throat with his rifle, but she managed to get into the thicket. The woods were full of them, but the day before the man had left so much corn that they were not hungry.

The next day we rode around in the coach, saw sights, and in the evening had a lot of fun shooting doves near an old barn. Friday I decided I would try for a deer, as I thought I could get it home the next day. Don Luis was very busy, so I got up early and struck out with one of the men. We went about three miles from the house, and had a fine little still-hunt on the side of a mountain. It was pretty brushy and rocky, so a fellow had to be extra careful. I found fresh signs of two deer up on the mountainside and commenced to sneak around for I couldn't tell which way they had gone. They either saw or heard me, and slipped off down the hill about a hundred yards. Pretty soon I stepped out into an open place and they began to snort and jump over the bushes. The sun was about half an hour high and they were between me and below it. When they moved in the chaparral I could see them, but as soon as they stopped I could not make them out. The ground between us was perfectly open, so that there was no chance to creep up. So I lost them. They were not wild, and under the same circumstances ordinarily I should have been sure to get one of them. It was a mere accident that I did not see them sooner.

In the afternoon we went in the coach to a cane field where Don Luis had seen them come out often to feed on the cane. The sun was still two hours high, but when we reached the place there were three already out and saw us. We tried to get on them, but they were suspicious of the coach which had stopped in view, and besides, a plow-boy over in a neighboring field began to whistle at them. So we had to take a hurried shot at long range, not knowing the distance. Neither of us scored. Following them into the bushes we found them again, but got no shot, and Don Luis found a big buck which he could easily have killed but thought it was a donkey. Even a veteran hunter will get fooled sometimes.

Next day was our last and we were bound to have some meat to bring home to save our reputation. So we went for the turkeys again. I had found a caller, and told Don Luis that if they gobbled around so much again I was going to try my hand at calling one up. J. went along and stayed in the blind with me. I had loaded her little 20-gauge with No. 2 shot, and was sure that she would get her turkey if one came out. But Don Luis had all the luck. Nothing showed itself at our blind, and I didn't even hear one gobble. But at different times during the day three old fellows came to his stand and paid the penalty of their rashness. He has a fine .32-40 Ballard that is sure death to anything that comes in range.

From the woods we went to the station and found that we had to wait all night for the train. The boss of the ranch gave us a bed, and we got along finely. Our only mishap was that it was eight o'clock Sunday morning before we got home.

## SIX YEARS UNDER MAINE GAME LAWS.

## X.—THE ONE BEFORE THE LAST.

THE time has come to close this series of papers. Unforeseen circumstances have delayed their preparation, and other causes equally unforeseen have altered their original plan, so that they are widely different from the first design. It is therefore impossible to draw conclusions or to sum up in any orderly fashion what has been said. But there are a few additional points to be touched upon and some probable consequences—which may a better ordering of affairs avert!—that need to be set forth; and just a word may be said of what was intended but was not accomplished.

In the beginning a state of feeling was described in which a bitter and unreasoning resentment must have seemed predominant. It was planned to account for this, to show how it arose and why, and what were the principal local modifications of it with their local causes. The plan has been carried out only in part. What was said of the waste of game and non-transportation in open season applied with varying force to all the counties and has been influential in all to produce the present state of dissatisfaction. But what has been said of deer hounding and killing dogs pertains only to the southeastern counties of the State. Nothing has been said of Piscataquis and its interests, nor of Aroostook and Aroostook affairs, although the plan was to illustrate and explain the causes which had operated in these to produce a feeling substantially the same but differing in its degree. A change made last March in the law permitting the destruction of dogs, bringing new and unexpected dangers close upon us, as it was feared, caused the abandonment of the original design and a fuller treatment of topics relating to deer hounding than was at first intended or deemed

desirable, while in consequence the other sections had to be slighted.

I have said that it was not the intention to speak of deer hounding at such length. There were other topics equally interesting which did not have the peculiar disadvantages of this, namely, that whoever would speak of abuses connected with its suppression must consent to be accused of favoring the practice. Now, the practice cannot be defended in this State. As a method deer hounding may be the best or the worst, the most humane or the most cruel way of getting a deer—that is a matter of opinion; as a *practice* it is illegal and should be stopped. Yet it is of supreme importance that the means of suppression shall be such that those who wish to see the law enforced can honestly defend the means taken to enforce it. Who could do this of the poisoning and dog killing of years past? The extraordinary abuses connected with these methods of procedure have put them into such disrepute that neither of them can ever gain any measure of popular support. Yet this spring the law has been changed so that the killing of dogs is encouraged by the new license granted, even if it is not intended, as has been feared, to make it an official feature of the campaign this fall. Nothing could be more fatal than this. These practices may be legalized, but such is the odium attaching that they will injure the cause in which they are employed. The reaction against the last attempts has been very strong. Nearly, if not quite twice as much deer hounding was carried on last fall on Penobscot and Union River waters as ever before. Deer were dogged more or less regularly on some thirty ponds and lakes which I could name, and at Chemo Lake, only about fifteen miles from Bangor, they were run all the fall. Hounds used to run deer are openly kept in Bangor and vicinity. Men go from Bangor and surrounding towns to places where deer are dogged, the papers tell where they have gone, and what they bring back, and the deer, shot in the back of the head, are openly exhibited. There is no secret made of it. What is more, men who a few years ago strongly disapproved the practice, now favor it more or less openly. Whoever would stop hounding must overcome an opposition which did not exist a few years ago, and this can be done only by the use of fair and legal methods. Fine the men who engage in it, but give us no more Darling cases and no more dog killing. To repeat the proceedings of the few years past would give us not only more murders, but would be the speediest way of creating a general demand from this section to have a law permitting hounding.

It was planned, among other things, to speak at some length of the illegal sale of fish and game, of the number of prosecutions brought and fines collected, of certain cases tried and minor untenable interpretations of the laws, of the character and efficiency of the wardens now in the service; and facts were collected for this purpose, which the change of plan already spoken of has made it necessary to set aside.

However, that the case may not seem to go by default, we will have a word upon some of these points.

Game and fish have been illegally sold this winter, and not by any means in lone and sequestered spots. It has been done in our largest cities and in the markets, so openly that strangers have commented on it. Not to speak of what has been done nearer home, in Augusta game and fish both were sold contrary to law; and at the very time that new trout laws were under discussion, toge were openly sold in the city and were served under the name of trout on the table of the hotel where many of the senators and representatives boarded. Complaint was made but no prosecutions followed. Without discussing where these fish were taken, it was directly contrary to law to sell them, and yet while the sale was permitted in Augusta, in the eastern part of the State Pete Newell, an Indian, poor undoubtedly, ignorant very likely, was fined for selling trout.

Regarding the collection of fines and their disposition, little can be said in little space. But the aggregate of fines paid in to the treasuries is not what might be expected. In Penobscot it is too small to make any account of. From Jan. 1 to the middle of April of this year only \$40 was paid in from nearly ninety towns and townships which are included in this county. The sum for any year is very small. This would not be a disadvantage if the violations of the law were few, but they are numerous and open. Some cases come up in the higher courts of Penobscot, but very few appear in the lower courts of Bangor. The clerk of the municipal court who has been in the office many years could show me papers pertaining to only two cases, which he said were all that he distinctly remembered. One was the voluntary complaint against himself of a gentleman who killed a moose last September; the other a case against a man for netting fish last October, ending in an appeal. Some cases come before trial justices outside the city. There are a few justices in this and other counties to whom game cases are frequently carried, or who are carried to the cases, whence the nickname of "pocket justices" sometimes applied to them; and there is some particularly edifying history connected with the cases which come up before these men. The aggregate of game cases in eastern Maine for the past few years has been small when we except the seizures illegally made under the transportation fiasco and what has been done on the seashore.

Concerning wardens, we will say as little as possible. It is not fair to speak disparagingly of a whole class without bringing forward the proofs. Yet it is true that after much inquiry I have found many poor wardens and only two that could be called good ones. Good men there may be, undoubtedly are, among the hundred and fifty who are employed as wardens, but unless they live in the western part of the State or upon the seashore, they must be scarce. The majority of the more prominent wardens of eastern Maine are not only bad wardens but bad men. There is full proof of their unfitness for the place. I was intending to bring forward enough to show the kind of men into whose hands the execution of our game laws has fallen, but it would take too long to do the subject justice, and we may leave it with Charley Utter's benediction, "May the Lord think well of you"—and its logical inference.

It is of more importance just now to know that some of these men have been reappointed not once, but sometimes more than once, in spite of repeated protest. We have been told that nobody was responsible for this. The change of the law this year which requires the approval of two of the Commissioners before a warden will be given an appointment, is a great improvement. It makes

the Commissioners personally responsible for the character of the men employed, and the improvement of the service by the substitution of better men for some of those now in the service may be expected. We have been told that heretofore men had been selected for their strength and ability to shoot quickly. The authority for the statement was high, yet this may not be the real ground of selection. At any rate these would be merely imaginary advantages for an active warden. Strength may make an arrest, but it will not take a man out of the woods, and the ability to shoot quickly is merely a negative advantage, since an officer cannot use firearms except as a last resort. Plain, old-fashioned honesty is the best qualification a warden can have, and with it a man can go safely, when without it he would run considerable risk. The second best recommendation to the position should be a thorough knowledge of woodcraft and the ability to go alone through the woods instead of along highways and frequented routes.

One change in the laws this year requires some attention. Henceforth wardens may make arrests without the use of a warrant. This will be a great advantage in securing the arrest of offenders, but visitors and residents alike will need to be on their guard against those who pretend to be wardens and extort fines on false pretenses. In years past this has been done more or less frequently. I know of three cases, one of them occurring this winter, where the attempt has been made by men who were not wardens, and I have been told on good authority of another where a fine was paid only this winter to a man who was not a warden, for fishing pickerel, which it is legal to fish at any season. It is well for every one to carry a copy of the latest issue of the game laws, so that he can determine for himself just what the law is and whether he is guilty. There are many points where by mistake or evil intention a person not perfectly sure of his rights can be intimidated and made to pay blackmail by those who are not officials and have no right to interfere. How many who come here know that Sunday is close time on game but not on fish? or that until this spring deer could be legally shipped from the State provided the legal number was not exceeded, while partridges could not be? or half a dozen other points on which a case could be made or lost? The wise man, if detected in an offense against the laws, will, if possible, stand trial. He never will pay anything to settle a case, nor pay a fine to any one without taking a receipt for it. If in any case he should pay a fine to any one whom he does not know personally, he will at the expiration of two months write to the county treasurer of the county in which it was paid, to find whether it has been paid to the county, that being the limit of time which any justice or receiver of fines can keep them without incurring heavy fines. These are suggestions merely, but they are made to the wise. Never pay anything to any one who may not be an official. Never pay without taking a receipt in full. Never fail to see whether that money was paid into the treasury at the proper time unless there is no room for doubt.

The next paper, which will be the final one, will take up some of the more general evils which will follow if something is not done to improve the present conditions here. They are too serious to be neglected and should receive thoughtful consideration of both residents and visitors who are interested in the welfare of this State. It is not the game alone that makes a trip here pleasant—the game and fish are the least part of it to many who come here, and certainly are not greatly esteemed by the residents. There are other interests upon which both can unite, which now, if not actually imperilled, are at that point where the future danger can be most easily averted. It is for what will be said in this final paper, however simply and unemphatically it may be put forth, that this whole series, with all the labor and unenviable notoriety it involves, was undertaken.

FANNIE PEARSON HARDY.

## CHICAGO AND THE WEST.

CHICAGO.—A recent incident will show still further the necessity for some adequate protection of the game birds along the Kankakee River. The incident is the more deplorable in that the culpable party is a member of one of our regular shooting clubs. I say, he is a member, but "was a member" would probably be more correct, for by this time he has probably been expelled from the club or will be soon. The man's name is Roth, and he belonged to the Diana Club. Lately he killed 5 young prairie chickens, not bigger than one's fist, and put them on the ice at the Diana Club House, where they were seen. Mr. Henry Ehlers, a very worthy sportsman of the Diana Club, and others of our sportsmen here, instituted a legal investigation, though attorney Low told them no case would hold, they being citizens of Illinois, while the killing was done in Indiana. The matter was not allowed to rest here, however, Messrs. Henry Ehlers and John Press, the latter president of the Diana Club, have gone down to the grounds in Indiana to see if they cannot get evidence good enough for a conviction even under the absurd Indiana law. In any event, Roth will be promptly jumped from the club, and ought to be debarred from the company of gentlemen sportsmen. It is getting too late in the nineteenth century to do such things as that and still claim to be either a sportsman, a gentleman, or even a half-decent sort of half-way citizen.

A new club organizes to-night, and will next week be named and added to the galaxy of Chicago's bright particular stars. It will consist of 30 members, membership fee \$10, and will be devoted to trap-shooting solely. It will hold 12 shoots annually, and at each shoot a prize of \$25 will be shot for, and the contest settled then and there. Club medals, annual championships and all that will be abolished under this innovation, whose result is awaited with some interest. Name and members cannot be divulged now, but the latter are from our best, and the new club will be a good one. E. HOUGH.

CARIBOU IN THE NORTHWEST.—New York, July 9.—*Editor Forest and Stream:* In regard to caribou in the far West, I can say that in 1887 we found caribou in considerable numbers in northern Idaho, at the headwaters of Kanuskus Lake and the Kootnai River. Eight were killed by our party.—WAKEMAN HOLBERTON.

A BOOK ABOUT INDIANS.—THE FOREST AND STREAM will mail free on application a descriptive circular of Mr. Grinnell's book, "Pawnee Hero Stories and Folk-tales," giving a table of contents and specimen illustrations from the volume.—A. C.