

REPORT OF THE COMMITTEE ON BIRD PROTECTION, 1936

IN reviewing current bird protection we are reminded that this year marks the fiftieth anniversary of the offering of a Model Bird Law by the Bird Protection Committee of the American Ornithologists' Union. This model law differed from previously framed laws by defining game birds and protecting all other birds with the exception of a few considered to be injurious. It was the first clear, simple, and complete type of protective law and the first to stress the protection of insectivorous and predatory species of birds. Approved in February, 1886, it had been accepted and passed by New York before the year was out. Since then it has become the basis for legislative protection of non-game birds in more or less modified form in most States of the Union.

Of possible outstanding importance to conservation during the past year was the North American Wildlife Conference held in Washington, D. C. This conference brought together more than two thousand persons interested in welding all wildlife interests into a strong organization to support better conservation measures. Representatives from Canada and Mexico were present. A temporary organization was set up pending another conference whose delegates would be regularly appointed by proposed State and County units. There were already fifteen States that had effective federations but since then, it is reported, twenty-five States have organized State-wide federations. Should all conservation groups be brought together into one strong federation, as planned, wildlife conservationists would have a new opportunity to influence public sentiment and effectively back useful, and oppose dangerous legislation. The success of such organizations depends not only upon genuineness of purpose but the type of local leadership, and their development should be critically watched.

The long-pending Migratory Bird Treaty with Mexico was signed February 7, 1936. This treaty was ratified by the Senate on April 30, and the enabling act amending the Migratory Bird Treaty Act of 1918 to make it applicable to Mexico, was then introduced, passed and signed by the President. The Mexican Treaty provides for the protection of many migratory birds that do not range farther north than the United States. As with the earlier act, shooting of migratory game birds is limited to four months, between September 1 and March 10, while the rest of the year is closed to all shooting. The expected ratification of this treaty by Mexico will bring about a long-awaited step in the cooperative conservation of migratory birds.

Regulations covering the killing of waterfowl still seem to us inadequate. The much-discussed drought condition of the past several years is still in

force. This drought has affected the duck supply throughout the prairie Provinces and north-central States. The idea is current that drought is a major factor in reducing this continent's waterfowl supply. As a matter of fact, about eighty-five per cent of North America's ducks are raised in Canada and Alaska, mainly north of the drought area. Current also is the idea that a series of wet seasons will remedy the situation. This is not necessarily true, for the area affected by the drought is so relatively limited. There are other more serious reasons for the present alarming status of waterfowl and, of these subject to control, the principal one is overshooting.

Since the 1935 hunting regulations were given out, an increasing number of appeals have been made this past year for a wholly closed season. Many of these appeals come from local, State and National conservation organizations, and even from State fish and game commissions. Consequently, there was wide-spread disappointment in the amount of legal restriction afforded in the 1936 regulations. Three species only, the Redhead, Canvasback and Atlantic Brant, were added to the previous list of five protected species. Although desirable bag limitation, three-shell maximum on repeating shot-guns, and prohibition of baiting, live decoys, sink boxes and batteries were continued, serious danger still seems to threaten a reduced waterfowl population that must traverse several shooting zones in its southward migration. Your Committee joins other conservationists in the conviction that present conditions call for much more severe restrictive measures than have yet been secured for the preservation of our waterfowl.

In the spring, information came to your Committee that breeding grounds of egrets and spoonbills in the Big Cypress near Innokalee, Florida, had been raided, and a large number of the birds killed. The National Association of Audubon Societies made a prompt and thorough investigation, including a survey of the area from the air, but no convicting information and no direct evidence against anyone were obtained. A survey did show an influx of spoonbills into the Ten Thousand Island area, caused possibly by disturbance. This occurrence indicates that there may still be an organized traffic in egret plumes that should be broken up. In this emergency, it is a pleasure to report, the National Association of Audubon Societies strengthened its warden force and is now patrolling the Florida rookeries more thoroughly than ever before.

An article by F. H. Dale in 'The Condor' for September, pp. 208-210, entitled 'Eagle control in northern California,' describes a new type of predator control which endangers the birds of prey. Airplane pilots are advertising the sport of hawk and eagle hunting. Passenger-hunters are carried over seventy to eighty miles of territory and when the flying bird has been closely approached from behind an easy target is presented. We had thought the possibilities of the airplane for destruction of bird life were largely limited

to the rapid carrying of the hunter to the best game country and to the rumored wholesale spreading of poison. The 1936 regulations for the taking of migratory game birds prohibit the use of aircraft of any kind, but this ruling apparently does not apply to non-migratory species. Now, it appears that many, perhaps hundreds of eagles have been shot down in this new type of commercialized sport, a form of concentrated hunting that might wipe out entirely the larger predatory birds. We must now add to the picture of the fast-moving auto with its gunner intent upon using as a target every perching hawk along the way, the airplane with its gunner striving to overtake the flying eagle or hawk to shoot it down. Here, again, is evidence of the never-ending development of improved means of destruction and of the difficulty of instilling ideals of sportsmanship sufficient to prevent such unfair advantages being taken by the shooter. With sheepmen anxious to institute control measures, support of this type of hunting is at hand. Your Committee has appealed to the Director of Air Commerce to investigate this practice and will continue to exert its influence against this dangerous new threat to the safety of both migrating game birds and the large birds of prey.

Our attention is called to figures used in our last report relative to destruction of hawks at Cape May. According to Warren F. Eaton (and we pause to express our sorrow at the loss of so active a friend of the birds of prey), the actual and estimated counts for five successive years were as follows:

<i>Year</i>	<i>Seen</i>	<i>Killed</i>	
1931	14,060	1,007	actual count
1932	10,611	428	actual count
1933	40,900	3,100	estimated
1934	28,266	1,186	estimated
1935	13,452	1,086	actual count

It is evident that the figures used in our last report covered a period of years rather than totals for a single year. We are glad to report improved conditions at both Hawk Mountain and Cape May.

At the last Annual Meeting, a resolution was introduced relative to the collecting of rare birds and their eggs. Although approved in principle, the resolution failed of passage and was referred to this Committee with a request for a draft acceptable to the membership.

Respectfully submitted,

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