

**FOREST PROTECTION AND ITS EFFECT
ON FISH AND GAME LIFE**

BY

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REPRINT

from the

**AMERICAN FISHERIES SOCIETY
PROCEEDINGS 1920**



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By HONORE MERCIER

Minister of Lands and Forests, Quebec, Canada

My first words must be those of gratitude. On my own behalf and on behalf of all your guests from the Province of Quebec I tender you sincere and hearty thanks for your warm welcome and generous entertainment of us on behalf of the Department of Marine and Fisheries of the Dominion of Canada. Coupled with this feeling of gratitude I am bound to admit that there rankles in my heart a certain amount of jealousy. To be frank, we in Quebec are envious of Ottawa for having secured the privilege which we feel that we should have had of welcoming you all in the *Old* instead of the *New* capital of Canada. I feel that we have a grudge against my good friend, Professor Prince, for stealing a march on us by going down last year to Louisville and securing for Ottawa the first Canadian visit of the American Fisheries Society and the International Association of Game, Fish and Conservation Commissioners. Had we in Quebec known that Canada could have had these conventions in September, 1920, and that my friend, Professor Prince, was going to Louisville to secure this privilege for Ottawa, I can assure you all that he would have had a hard fight indeed to prevent the delegation that we would have sent to Louisville from storming the convention there. There is only one way for Professor Prince to obtain absolution, and that is to undertake to work as hard for Quebec as the scene of these conventions as he did for Ottawa, just as soon as the two societies are willing to once more favor Canada with their most welcome visits. I understand that it is practically decided that the next meeting

place is to be in either Wisconsin or Pennsylvania, but in order that there may be no misunderstanding as to future plans, I give notice that Quebec is in the field to receive and welcome both societies at the earliest possible occasion.

We may possibly be unable to do everything for you that Ottawa is doing, but we will do our best to give you the time of your lives, and you may perhaps not be aware of the fact that Quebec is credited with certain attractions for which our friends and neighbors of Ontario have some cause to envy us.

I have been asked to say a few words to you on the importance of forest protection in connection with its effect on fish and game life.

It is a remarkable fact that man alone, of the animal creation, is responsible for any disturbance of the harmonies of nature. So exact was the balance of both vegetable and animal life as it left the hand of the Creator that so far as we are able to judge, it might have remained so to the end of time, subject only to the conditions of natural development, were it not for the changes produced by human action.

It is true that man, finding himself in the rudest stages of life dependent upon spontaneous animal and vegetable growth for food and clothing, has protected and propagated to advantage certain birds and quadrupeds, and has warred at the same time upon rival organisms which prey upon these objects of his care or obstruct the increase of their numbers. But what havoc has he not wrought with many of the useful wild things of our woods and waters!

Wise laws and many state, provincial, national and international fish and game protective organizations are at work to prevent further improper destruction of fish and game, and to repair as far as possible the damage caused in the past.

Amongst the most serious dangers now threatening the existence of fish and game in the inland portions of North America, I believe, we may count the rapid disappearance of the forests. The forest is the original guardian of both fish and game. It furnishes to the first mentioned, pure, fresh and well aerated water, protected from pollution by natural filtration and well capable of sustaining life and of favoring activity. Open everywhere to the air, full of freshness, and offering to wild game a succulent food of buds and berries and a variety of herbs and fruits, and protecting it from the heat of summer and the biting blasts of winter, the forest, with its flooring of soft moss affords it a hospitable shelter. The forest is so necessary to many species of game that they desert the locality when it is destroyed, but return when it reappears.

In Scotland the former deer forests have largely disappeared, and although certain moors are set apart for the propagation of this species of game, Sir William Shlich declares that the animals shot on these deer ranges are nothing like the fine beasts found in woodland areas, but that if a large part of the country was once more brought under forest we should no doubt improve the breed.

In the middle ages, as well as in earlier and later centuries, attempts were made to protect the woods by law, both because of their necessity for the breeding of deer, wild boars and other game, and for the purpose of furnishing building material and fuel for future generations. In feudal times the creation of so-called forests for the sole purpose of forming hunting grounds grew into an abuse of public and private rights. William the Conqueror is said to have destroyed sixty parishes and to have driven out their inhabitants in order to form a forest for his own hunting and that of his friends. It must be remembered, however, that the name forest was then given

in hunting phraseology in England to any low growth of cover for game. The Conqueror punished with death the killing of a deer, a wild boar, or even a hare. The conquered English were hanged for the murder of a plover, death was inflicted on those who spread nets for pigeons, and those who had drawn a bow upon a stag were to be tied to the animal alive. In France up to the time of the Revolution the slightest trespasses on the forest domain were severely punished, and game animals were held strictly sacred, even when they ravaged the fields of the peasantry.

Many of the most valuable forests of both England and France, which proved so extremely important for the supply of timber during the late war, owe their preservation to their employment as hunting preserves. The enormous value of our forests today to many of our leading industries, and especially, as we all know, to that of pulp and paper, largely overshadows their importance from the fish and game point of view, and as protectors of these last mentioned we may rejoice that this is so, and that there are so many other weighty reasons for the preservation of the woods that are so essential to our fish and game life.

When last I addressed an association of those interested in fish and game protection in New York—I believe it was the American Game Protective and Propagation Society—I was at the head of the Department of Colonization, Mines and Fisheries of the Province of Quebec, and spoke upon the fish and game resources of the Province. It so happens that now, when I have had the honor of saying a few words upon the importance of forest protection to fish and game, I happen to be Minister of Lands and Forests of the same Province, and you may perhaps like to know what we are doing in my department for the protection of the natural nursery of fish and game.

An important provision of our law which operates against the unnecessary diminution of our forest area, provides for such classification of public lands as permits the sale for colonization purposes of only those which are really fit for cultivation.

One of the worst enemies of the forest is fire. Our system of fighting this evil is based upon a study of those adopted elsewhere, modified to meet local conditions and perfected according to certain ideas of our own based upon experience. Would I go too far in saying that one of the main causes of our forest fires has been the burning of slash by farmers on the border of the forest? This is now prohibited at any time except for clearing purposes, and then only from the 15th of November to the 31st of March of the following year, except by a permit from an officer of the department who must see that all necessary conditions are carefully complied with. Nobody is permitted to set fire to standing trees at any time except when they are at a distance of at least a mile from the forest. Any person who sets fire anywhere inside the forest or even at a distance of less than a mile from it is obliged first to clear the place where he is to make this fire, of all inflammable materials, and to totally extinguish the fire before leaving the place.

Locomotive engines used on any railway passing through any forest in our Province must be provided with necessary screens or other appliances to prevent the escape of fire or sparks. The engine driver in charge of a locomotive passing over such a railway must see that the above appliances are properly utilized. For contravention of this law, railway companies are liable to a penalty of not more than \$1,000 and not less than \$250. The railway companies, moreover, are obliged, under a penalty of \$100, to clear away all combustible materials from the

sides of their respective roadways by burning the same or otherwise.

The Lieutenant-Governor in Council may create, by proclamation, fire districts. During the construction and operation of its line through any fire district, every railway company and every license holder, whose license is located in any territory forming part of a fire district, shall place under the control and have at the disposal of the superintendent of forest fires, such number of men as may be required in case of fire. The salary and expenses of such employees are to be borne by the railway company, the licensee, and the Minister of Lands and Forests jointly. Penalty for refusing to comply with the above section ranges up to \$500. Moreover, the Minister is authorized to employ in each fire district such number of men as he may deem necessary. All persons who drop burning substances, such as ashes from pipes or cigars, on the ground or elsewhere, whether in the forests, open fields or other places, are bound to extinguish such burning substances before leaving the spot. Contravention of this article is punishable by a penalty not exceeding \$50 or by imprisonment for not more than three months in the common jail.

Last year a number of new and important modifications were made in the law for the protection of forests against fire, chief among which are the following:

Every holder of a license to cut timber on crown lands must, at all times between the 1st of May and the 1st of November in each year, have his timber limits patrolled by competent fire-rangers paid and selected by him, but appointed by the Minister of Lands and Forests, and the latter may prescribe the number of fire-rangers who must be so employed. Such fire-rangers must devote their whole time to such patrol.

The Minister may, however, require that the limits be patrolled also in the month of April, in certain parts of the Province where it is expedient to do so.

Every license holder must, between the first and the fifteenth of each month, during the period above mentioned, make a return to the Department showing the number of fire-rangers employed by him during the

preceding month; the number of fires which started; the number of fires extinguished, and of those not extinguished; the extent of territory burned; and the amount of expense, if any, incurred by the license holder in extinguishing the fires.

If a license holder fails to make a return within the delay fixed or if he does not employ the number of fire-rangers fixed by the Minister, the latter may then have the patrolling done, with all necessary supervision and charge the whole cost thereof to the license holder, and the amount fixed by the Minister shall be final.

The return made by an association of holders of licenses to cut timber, for the protection of their limits against fire, shall be sufficient if it includes all the limits belonging to each member of such association.

The formation of district forestry associations on a business basis is encouraged by the Department, and all timber limit holders are required to join their district association or to patrol their limits themselves. Where there is water communication, patrol is made by canoe. Along the railways which traverse the forest, speeders are employed. There is also a hydroplane service and a tramping patrol through the woods, besides lookout stations on elevated points, telephone lines, pumps, etc. Lectures are given in various sections of the Province on forestry problems by members of the forestry service, illustrated by moving pictures and lantern slides.

You do not need me to tell you of the necessity of forest preservation for the maintenance of the regularity of the flow of water in our rivers and streams, for the prevention of inundations, or for assuring to our water powers the necessary capacity to produce all desired energy essential to the public welfare. As business men you realize the potential value of the forest to industries and to the capital and labor alike interested therein. As sportsmen you probably have not needed me to insist so much upon the necessity of the forest to fish and game life. All sportsmen are lovers of the woods, and surely it becomes us all to raise our voices whenever and wherever the opportunity occurs for their preservation. Settlers and others in this New World are too apt to regard a forest

tree as an enemy. "Cut it down," is the battle cry; "why cumbereth it the ground?" I wish that all such men would bear in mind the quaint remark of an old writer on forest trees quoted by Evelyn:

Trees and woods have twice saved the world, first by the Ark, then by the Cross, making full amends for the evil fruit borne by the Tree in Paradise by that which was borne on the Tree of Calvary.

That accomplished botanist and brilliant writer, Dr. Hugh Macmillan, speaking of the influences and functions of a pine forest, says:

The pine is the earth's divining-rod that discovers water in the thirsty desert, the rod of Moses that smites the barren rock and causes the living fountain to gush forth. * * * We see the presence and hear the voice of the Creator among the pine trees as among the trees of the garden of Eden. Each tree is aflame with Him as truly as was the Burning Bush.

If I have said anything at all that may suggest additional precautions against forest fires, or that may tend to enlist your further sympathy and aid for the promotion of forest growth, I shall feel that I have spoken a good word for the fish and game life in which we are all so much interested.

I address an appeal to the members of the American Fisheries Society to work with us for the preservation of fish and game. May I be allowed, sir, to point to one special instance and to ask their help in securing the adoption of a uniform system between the different provinces of Canada, as well as between Canada and the United States?

A few years ago we in Quebec enacted a law by which we established a system of controlling the commerce in all fur-bearing animals trapped or hunted on our territory. Other provinces have passed a similar law. One of the clauses of that law is that if any of our game wardens learn that any wild animal has been killed outside of the close season established by law, no matter where

it comes from, on instruction of the Minister he returns the animal, or the skin, to the country or province in which it was killed. This law has been productive of good results. We have been working in cooperation with the sister Provinces of Ontario and New Brunswick, and animals killed in these respective provinces out of season have been seized and returned to the province in which they were killed. The government of the province concerned may then take action against the party responsible for the infraction of the law. A year or two ago one of our citizens living in the Province of Quebec near the Vermont border killed a deer on American territory. Instructions were given to send that deer back to the State of Vermont. If this law were applied by all provinces and by all states, I am sure that poaching would be stopped. An international law as between the United States and Canada would, I am confident, bring about splendid results along these lines. If, for instance, the customs officers on both sides of the line were given authority to seize the skin of any wild animal killed out of season when an attempt was made to ship it across the border, and if they would seize also any skins not bearing the tags or stamps required by the laws of the province or state whence they came—if these skins could be seized and returned to the government of the state or province in which they were killed, we would go a long way towards preventing poachers from sending from one country to the other or from one province to the other, the skins of animals taken illegally.

Mr. Chairman, I wish to express my delight at meeting again some of the delegates from the United States whom I had the pleasure of meeting a few years ago in New York, and later in St. Paul, Minn. I do not know whether I am authorized to do so here at the federal capital, but I should like, sir, as a Canadian to say to our

friends from the other side of the line that they are welcome to our country, and to express the hope that they will come back soon, so that we may again have the pleasure of working together, through a meeting held in this country, for the welfare of both countries in connection with the preservation and propagation of fish and game in North America.