

GAME PRESERVES IN SCOTLAND

One-Fifth of the Country used as Deer Forests

The Game and Heather-Burning (Scotland) Committee, which was appointed by the Secretary for Scotland in 1919, has now reported. The Duke of Buccleuch, who was appointed Chairman, and all except one of the other members, have signed the Majority Report. But attention has been largely concentrated on the Minority Report of Mr. James Scott, S.S.C., which is of a more searching character and contains a good deal of plain speaking. Both Reports have a number of recommendations for amendments of the law as regards game of various kinds, vermin, and heather-burning, which are of too detailed a character to be dealt with here. On the more general aspects of the question, however, our readers may be interested to read the following extracts from Mr. Scott's Minority Report.

The appointment of the Committee is a testimony to the fact that the interests of game and the tyranny of sport have been allowed to predominate in Scotland to an extent which is inimical to national interests. The time has certainly now come when it is essential to make the interests of food production paramount. To achieve this it is essential that the permanent measures to be recommended should be adequate to the need, and in consonance with the changed and enlightened ideas inspired by the bitter experiences of the war. . . . (Par. 1.)

It cannot be made too clear that there is no property in game or other wild animals. This is a plain statement of the law; however much proprietors may try to assert rights of property in them. They have none. The laws for protection of game are based solely on infringements of the law of trespass. The crime charged is trespass in pursuit of game. The right to kill game is merely a personal privilege in respect of the ownership of land. . . . (Par. 3.)

The landlord may (as he often does), along with a party of friends, keepers and beaters, or others, invade the holdings on his estate in pursuit of deer, hares and rabbits and winged game. The 1886 Act provides that reasonable compensation for any damage done shall be made. I believe it to be the fact that this stipulation as to making compensation is simply ignored. I regard the above reservation of right of entry as oppressive, whether applied to a large or a small holding. If a tenant, whether he be a large farmer or a humble crofter, pays rent for his holding, he is entitled to the exclusive possession of his holding, and ought not to be subjected to the unrestricted incursions of his landlord or his friends, keepers or beaters, upon his holding, traversing his pasture, disturbing his stock, and wearing down his fences. Such practices are contrary to the interests of agriculture, and the national interest of food production, and the reservation of all such rights should be made illegal by statute. (Par. 5.)

It is clear that smallholders are greater sufferers from game damage than large farmers, whose farms are generally on the plains, while the small holdings fringe the moors and forests, and often lie at considerable altitudes, thus being more exposed to game damage. (Par. 6.)

Game ravages have a most depressing effect upon agriculturists, large or small. It is a great discouragement to agriculture when crops or grazing are destroyed by game. To keep down ground game, or to protect crops from deer or winged game, is a detraction from the legitimate work of a farmer. In its results it is detrimental to the national interests. . . . (Par. 7.)

Some farmers showed a quite apparent desire to curry favour with landowners and factors in regard to game, by displaying an anxiety not to push admitted or necessary reforms. Their discretion overcame their independence. Other farmers fearlessly stated what they believed to be in the best interests of agriculture from the point of view of food production. I believe that many of the smaller farmers refrained from giving evidence for fear of con-

sequences to themselves. Instances were given by witnesses where reprisals were actually taken by certain landowners or factors upon tenants who gave trouble on account of game damage; but the evidence usually applied to farms they had either been forced to forfeit or at least no longer occupied. In one or two cases the tenant had been told by his proprietor that he would have to go at the end of his lease. . . . (Par. 10.)

It is noteworthy that on a comparison of the returns for 1881 and 1911 (the date of the last census), there was a decrease in the number of farmers and graziers of no fewer than 4,505; a decrease in the number of shepherds of no fewer than 1,229, and a decrease in the number of farm servants of no fewer than 49,428. On the other hand, gamekeepers had increased by 1,673, and had reached the large figure of 5,910. . . . (Par. 12.)

It was admitted in examination by one of the principal witnesses who supported deer forests that the presence of so many deer forests was "unhealthy." In view of the volume of evidence as to the very extensive damage caused by deer, there is no room for doubt that the term "unhealthy" is the mildest criticism which could possibly be applied. The "unhealthiness" has reached this point, that farmers have their crops eaten up wholesale, their grazings ruined, and they themselves harassed and impoverished to a degree which makes one wonder whether the evidence adduced related to some wild and semi-civilized country instead of to Scotland. . . . (Par. 14.)

Only ignorance and the numbing effect of custom can excuse public apathy in regard to the state to which proprietors of deer forests and the army of shooting tenants and gamekeepers have reduced so large a portion of Scotland. It has come with a shock of surprise to many to learn that about one-fifth of the whole area of Scotland, or from 3,500,000 to 4,000,000 acres, are devoted exclusively to deer forests. These number over 300. Almost entire counties are embraced, and the forests range in extent from a few hundred acres to 80,000 acres or more. At least nine deer forests are over 40,000 acres. One alien formed into a deer forest within recent years about 200,000 acres of land, stretching across Scotland from sea to sea. . . . (Par. 15.)

The waste of land by being converted into "great tracts of wilderness," the waste of pasturage on which cattle and sheep were formerly grazed, the destruction of crops, such as turnips, potatoes and corn, the lasting injury to grazings, the waste of Indian corn, maize, and other feeding stuffs employed in hand-feeding deer, constitute a heavy toll upon national food resources which the country simply cannot longer tolerate. That occupiers of land used for cultivation or grazing should have imposed upon them (as the evidence showed) the burden of day-and-night watching against incursions of deer is preposterous. It is a burden so oppressive and irksome as to be altogether intolerable. I maintain with all the emphasis of which I am capable that the only effective measure which will eliminate damage by deer is to reduce the area of deer forests, relegating deer strictly to those areas which cannot be cultivated, grazed, or afforested, and where alone those who wish to carry on the sport may do so without injury to the national food resources of the country. These areas must be completely fenced off from adjoining lands. . . . (Par. 16.)

Apart from the restriction of the area of deer forests, I have no difficulty in answering the question, "What permanent measures are required to prevent damage of cultivated land and pastoral land by deer?" The answer is, "All deer forests ought to be adequately fenced by their owners." I do not think that the fact that to enforce fencing would entail considerably greater expense now than in pre-war times ought to weigh with the Committee. It is no business of the Committee to consider the balance sheets of deer-forest owners in order to say whether they can afford the cost of fencing. . . . (Par. 19.)