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FEDERAL COURTS UPHOLD MIGRATORY BIRD REGULATIONS

Since President Roosevelt signed the last regulations limiting the taking of migratory birds this season, several legal attempts have been made to declare these unconstitutional. In the federal court at Lexington, Kentucky, Judge Ford dismissed an action instituted by local sportsmen who objected to the closed season on mourning doves.

"In making the migratory treaty with Great Britain," said Judge Ford, "the policy stated is to provide adequate protection to migratory birds by establishing closed seasons during which no hunting should be done." Congress authorized the Secretary of Agriculture to make such regulations as were needed. No right of individual property exists for those whose chief interest rests in the sport of hunting and killing migratory birds.

In Illinois a number of hunting clubs claimed that they had spent large sums of money buying land, improving and equipping the same for hunting migratory birds. Their complaint was that property values were decreased by federal regulations that prevented shooting of ducks over baited waters.

Judge Major of the United States District Court in Springfield, Illinois upheld the restrictions on wildfowling and said that hunters have no actual or implied property rights in the killing of migratory birds.

The duck hunters along the Mississippi River in Illinois have formed more shooting clubs than in any other state in the Union. The competition of baiting ducks to kill them has commercialized duck shooting along this river more than in any other area in the United States.