

Review

The Fence—Its Genesis and What It Stands For.

When our forefathers, brave men, began to cut away a space for home in the virgin forests of this Province they piled the stumps and branches of the felled trees along the edge of clearing. This mass of material, marking the inception of the first stage of evolution is called the disnucleate protoplasm. It is to be observed here that the agent is as yet, unconscious of the direction which the laws of Evolution will give to his work: he simply wishes to remove the waste and, following the line of least resistance, piles it against the nearest margin of enclosing wood.

When the next year's planting came above ground he observed, with joy, that his cow and goat, returning to the cabin from the forest glades, were halted at the edge of the clearing—at least the cow was halted—and out of his subconscious, into his conscious mind struggled up the first rude idea of fence. If the goat, more sure of foot, would sometimes climb the easy slope that fact would suggest to him the notion of heading up the mound with a horizontal piece of timber, and the second, or nucleate stage was attained.

Year by year, as the clearing widened, our brave workman found himself under the recurring necessity of pushing further back the ever increasing mass, till at length it dawned upon him that it would be less laborious to burn the waste where it lay and to fell trees for barrier along the face of the woodland. This stage must be recognized as transitional, since the provisional organism has disappeared and the permanent one, which takes its place, is yet but inchoate, a mass of huge cylindrical woody fibers, horizontal and disarticulate. Later the upright, or stake, is differentiated, the heavy horizontal cylinders shrink into the light elastic rail, and the articulation or joint, makes its appearance. This stage, which is that of the fully organized fence, though not in the modern form, must have been relatively permanent.

In this form it pursued the retreating woodland farther and farther, until Smith's clearing looked upon Brown's across the last belt of dividing hill. As the idea of co-operation was unknown to that rude age, neither perceived that the one fence might serve them both; each, therefore, retained his own, and the space between came to be called a lane. These lanes, corresponding to the marklands, marks or marches bordering the ancient Teutonic gaus, must have been comparatively numerous at one time, for, not only do they answer to the exigency of theory, but traces of them are actually to be found even to this day, in certain remote localities.

By what accident these two neighbors stumbled upon the discovery that one fence could block egress as well as ingress, has not, so far, been ascertained; but there is a growing adhesion of experts to the opinion that the occurrence of a break, technically a "gap" in one of the fences admitting cattle to the lane, where they would be observed to be stopped by the other, was sufficient to suggest it. Atavistic recurrences of such gaps in specimens of more recent date, and of vastly dissimilar provenance, have been reported from time to time, from which it would appear that the gap is a condition independent of environment and inherent in the very nature of the fence itself. Be this as it may, at whatever date the above discovery was made, the question of which fence should remain and which disappear was of course determined by the law of the survival of the fittest.

That the struggle for life, which is the working out of this law, took place in those early times is attested not only by the vulgar survival of quarrels concerning line fences, but more unequivocally, by the great number of missiles, sticks, stones, etc., which still mark the sites of those primitive co-terminal belts, or lanes. Ultimately the weaker fence disappeared, not, however, without protest of claim, as witness the broad headland of untilled ground adjacent to the course of the modern "line."

Occasionally it happened, where the coast lands were squatted, that two adjacent clearings abutted upon a small stream or creek, oozing through marshes

into the open sea. *Rivus* is the latin for stream, and persons so situated would be called *rivales*, which human perversity soon translated in to rivals. Now it was not to be expected that settlers so unfavorably situated would possess either flocks or herds, and the creek was deemed sufficient demarcation of rights. This, in the event, proved unfortunate, for disputes sprang up as to the proprietorship of the badgers that burrowed in the banks and the muskrats that wallowed in the ooze. In such circumstances the march of civilization was, of course, retarded, and the men of the creeks grew to be mighty fighters, tall and strong-shouldered, a fact which Weissman attributed to the habits of tip-toeing to spy the enemy over the hills, and of climbing trees to spot him in the distance. Whether or not Weissman puts violence upon the general laws of antropology in this matter it is still indubitably true that the men of the creeks are powerful men, tall, strong-shouldered and mighty fighters.

We have now reached the ultimate stage in the evolution, properly so called, of the fence, and what follows is decline. The first stage of the degeneration occurred at that unascertained date when the cleared space became greater than the wooded, and when by force of habit, the fence was employed to enclose and divide the clearing instead of being pushed back to the wood, the common feeding ground of cattle. As the woodland became less and less, the anomaly into which use and wont had carried men became more and more evident. From having been a substantial fact meeting a substantial need, the fence has faded into a conventional sign marking off areas to be devoted to the several kinds of crop, in which form they remain essentially to this day.

This rapid sketch has brought us down to the period of social organization and of government, and it is but justice to recognize that the gradually expanding intelligence of our forbears was not entirely out of pace with their material advance. When the forest had shrunk so far back as to be altogether insufficient to meet the demands for pasturage, and when, moreover, the increasing expropriations for modern roadways

proved inadequate to take up the surplus demand, there were not wanting men bold enough to suggest the revolutionary idea of enclosing the cattle instead of exclosing them, bold enough even to press for executive action in the matter ; and lo ! The Domestic Animals Act, with fence-viewers to assign a permissible average smashing capacity to the cow. Here the degeneration of the fence reaches its first perfectly marked stage ; it becomes a recognized natural symbol. The effort of getting this legislation enacted seems to have exhausted the impulse that gave rise to it, and the execution of the law was left to local option. Now cows are notoriously unimaginative, and will nose across the sentimental demarcations of school districts, drink in the unreeved sections, and even repose, placidly ruminating, in the hospitably open school area itself, all without the slightest compunction. When will the next step be taken ? When shall we agree to say " let us retain all that is essential in the fence, its enclosing function, and abolish all that is empty symbol ? " When this happy day comes round legislation of the following tenor should be sought : Whereas by the provisions of the Domestic Animals Act, the execution of the same was left to the good-will of those whose use of the public highways as common pasture land was being curtailed, and to the self-restraint of those animals whose extravagations it was intended to reduce ; and whereas contrarily to the reasonable anticipation of the then legislators and their more optimistic constituents, certain sections, declining to avail themselves of the prohibitive virtues of said Act, have persisted in extruding their beasts of horn and hoof upon said highways, the same, either by peregrination or by devagation or by both, not unfrequently disregarding the statutory frontiers of their proper districts, and, whether through invincible ignorance or with malice prepense or *in fraudem legis*, violating the neutrality of adjacent ones ; therefore, be it enacted that the Local Option proviso be deleted from said Domestic Animals Act, and instead thereof the following words be inserted, viz : Whosoever keeps or retains, for use or ornament, any animal whatsoever, quadruped or biped, ungulate or disungulate, shall

from date of proclamation of this Act and thenceforward, be required to enclose the same within secure enclosure of height and strength proportionate to the eruptive forces of the respective animals, in every case the fact of escape to be deemed *prima facie* evidence of the insufficiency of enclosure ; and be it further enacted that any animal, as aforesaid, found at large, after date of proclamation of the present Act, shall be deemed, for the purposes of this legislation, to have regained its wild state, in consequence whereof it becomes the property of the first captor, to keep, retain, or destroy, as to him seemeth ; provided always that, in the case of escaped scrubs, recourse by process of Law may be had against the late owner or proprietor of said scrub, or scrubs, for indemnification, as well for loss of time in harrying the same as for the damage to all hays, clovers, hedges if any, root crops of every kind, and to all cereals whatsoever, done by the same in excess of the full, just, and reasonable market value of the said scrub, or scrubs, quick or dead ; and be it further enacted that the Government of this Province shall henceforward set apart, from year to year, out of the Public Revenues, a sum equivelant to the interest at five per cent per annum, Simple Interest, upon the total amount, to be ascertained from the Public Accounts, paid to fence-viewers, attorneys, witnesses etc. in connection with litigations arising out of differences regarding fences, whether symbolic or otherwise, during the past next Twenty years, the same to be distributed annually among the said fence-viewers, etc., as above, in the proportion in which such monies were distributed during the period aforesaid, which arrangement shall remain in vigor until such time as the said fence-viewers, attorneys, witnesses, their heirs and assigns etc. shall voluntarily and of their own motion renounce all claim to said indemnification : Provided always that nothing in this Act shall be interpreted as affecting the immemorial rights of bees and pidgeons, or as conniving at any amelioration of the status of dogs before the Law.

COMMENT BY THE REVIEW DEPARTMENT EDITOR

We congratulate our young friend on his interesting contribution to the rather dry Science of Origins, and thank him for the light from the past which he has focussed, in the most approved vein of investigators, upon the anomaly of the modern fence. Briefly, he would do away with all fences except those actually in use about pasture lands, and he would prepare the way for this change by having the Domestic Animals' Act made obligatory of application throughout the Province. The suggestion seems so good that we cannot understand why there should be any hesitation in regard to accepting and acting upon it : On the other hand when we call to mind the large number of farmers who still retain the thriftless practice of grazing the aftermath of hay bottoms, and who take up the harvest so carelessly as to leave considerable gleanings upon the stubbles, we begin to understand the inertia of public opinion, and to realize the difficulty of overcoming it. Such persons will continue their present use of the fence, and, themselves secure against raids from the highway, will desire the liberty of turning their cattle out upon it at convenience.

One reasonable, but not very grave objection to the proposed scheme arises out of the necessity which the change would involve of changing the position of the pasture-close, at least once in every two years. I cannot think of any other which, honestly envisaged, does not prove to be negligible ; and this one is so completely outweighed by considerations on the other part that it should not be allowed to sway our judgment any longer. Let me enumerate these latter :—

(1) An immediate affluence of fire-wood from the discarded fences.

(2) An immense saving of labor and of potential timber.

(3) Increased area for cultivation.

(4) Increased sense of security from cattle raids.

(5) A check to the propagation of weeds through cultivation of head-lands.

(6) Stones would be broken where found and soil liberated.

(7) Winter travel would be immensely facilitated.

(8) It would become possible to employ power traction for cultivation.

(9) The disfiguration of our landscapes would cease.

COMMENT FROM VARIOUS SOURCES

When I realized how easily the theoretical victory seemed to lie with myself and my whimsical ally I began to fear that some important elements of the opposite case might not have been considered. To avoid the danger of entanglement in our own conceit I sent copies of the above to various Editors, Agricultural experts, Landscape-Gardeners etc., in Canada and elsewhere, soliciting their views upon the same. As some of the replies were rather prolix, some quasi-confidential, and some, I regret to say extremely irate, I have decided to give here only those answers, one in each class, which seem to me to be the fullest embodiment of the class view. One however, from the Editor of a Ladies' Journal of Sociology was so unlike the rest that no average could represent it, and I give it by itself.

"We cannot, with our present knowledge of the circumstances," writes our amiable correspondent, "give our unqualified endorsement to that portion of your correspondent's scheme which aims at the restricting, or empounding of the so called 'lower animals' within enclosure. Such may perhaps be, at the present stage, the only feasible solution, within sight, of your peculiar difficulty; but we are persuaded that, in face of the increasing consciousness of the link that binds us to all living things, both great and small, it cannot long continue to be regarded as a complete, or even a partial discharge of the obligations under which the race lies towards those faithful creatures that have fed, and clothed, and loved us. Having said so much we need scarcely add that we find ourselves in fullest accord with all else proposed by your correspondent and endorsed by you. Indeed we do not

hesitate to say that, if vicious habits, such as fence-breaking and the others deplored in your communication, sometimes appear among our four-footed friends as among men, the fact will be found to be entirely attributable to the prevalence of those very nuisances which your correspondent and yourself desire to see abated. With sincere sympathy."

VIEW OF THE PRESS

"We are in receipt of your favor, without date, enclosing copy of correspondence touching the desirability of pressing, at the present date, for uniform application of the Domestic Animals' Act within the Provincial limits, and containing draft of proposed amendment to said Act, which, as your correspondent seems to think, would render the Act automatically effective, throughout the several sections. We also beg leave to acknowledge receipt therewith of your own views, together with request for the expression of our opinion upon the entire question.

"In reply we wish to say that the idea is new to us and seems, perhaps, novel; though we do not wish it to be inferred that we regard it as, in every circumstance, impracticable, or even impractical. If the farmers, who, it must be allowed, are the best judges of what they themselves desire, could see their way clear to the acceptance of the scheme we do not doubt but that material progress would ensue. In fact we feel safe in saying that a long step forward will be taken whenever that condition is brought about without detriment to more important interests. Meanwhile we think it most probable that many farmers will desire to keep their own lands enclosed, for a time at least, even when no cattle are upon the highways in consequence of the uniform enforcement of the Act. Many find, as you yourself have admitted, that two or even three years of continuous pasturage is desirable, as they will be unwilling to move fences from year to year, especially as the borders of the fields often yield a more succulent forage than the cultivated area itself. We have ourselves seen sheep, and horned cattle, roaming over large bare fields, under a broiling sun, in the endeavour to pick up a living, and

not unfrequently being expected to furnish milk besides ; while across the fence in the next enclosure were excellent borders growing over with weeds and going to waste. Some farmers too, though this is not always, nor even generally the case, lack public spirit where their own interests are touched, and would refuse free ingress and egress to winter traffic notwithstanding that grasses, and in fact, all farm crops thrive better where the winter road has passed.

We regret that we cannot agree with you in desiring that the fences be removed in order to make way for the introduction of power trucks, for farm traction. Indeed we think it augers ill for the general acceptance of your scheme that it should be coupled with this condition. Prince Edward Island is justly proud of its horses. There is, moreover, perhaps no country in the world, of equal area and population, so well supplied with agricultural implements of all kinds. We confess that we cannot, at present, see the wisdom of depriving the Province of one of its chief sources of revenue, and "scrapping" thousands of Dollars worth of machinery, at one stroke. Let it not be said that we are opposed to the introduction of power traction under all conditions, nor yet to the elimination of antiquated farming implements ; but we are most emphatically opposed to the introduction of contentious questions and of party shibboleths at the present juncture, no less than we are opposed to the wholesale remission of good, cultivable land to a state of common, when every available foot of ground should be under crop, and when every man who has any stake in this country should be doing his best to defend it. Yours, etc.,"

EXPERT OPINION RE FENCE PROBLEM AND LOCAL
OPTION IN APPLYING D. A. A.

Personally I am in favor of the wire fence which I think is here to stay. Its features, relative permanency, increased cultivable area and elimination of the unsightly stake and rail fence are bound to win out against initial cost. We recommend no. 9 wavy wire, galvanized, well laid into cedar posts four feet in ground, (holes to

be filled with concrete and posts set in) with groove running round post 2 ½ inches above concrete, and copper flange crimped in with lower edge projecting over same to prevent rain entering; headland to be thoroughly worked over with hoe at frequent intervals during summer, especially after rains, to prevent growth of weeds. Where fences crosses anti-cline it will be sufficient to anchor and brace end posts; where it crosses hollow one post at least should be thoroughly anchored at lowest point. In no case should staples be driven home to pin the wire, as this weakens the tensile strength and subjects posts to irregular strains, causing sloping, called by farmers heaving, and attributed to frost. Our ideal is the eight or ten acre field fenced as above, with pump and motor in each field, and barn, with basement for summer shade of cattle, where the products of each field can be gathered, threshed and kept separate so that the farmer may know how each field is paying, as well as control spread of weeds. Besides these there would be, of course, the central cattle barns for winter feeding, with root cellars and silo.

As regards your idea of doing away with all except movable pasture fences, same to be moved say every two years, I think frankly it presents serious difficulties. In the first place there is danger that farmers, left almost entirely without experience in fencing, would build so imperfectly that cattle would frequently escape. Investigations conducted at widely separated stations over a period of ten years go to show that the tendency of the non-prevalent fence is to become more and more insufficient, the curve indicating as much as 15% decline in some years. Then again the water problem will be a difficulty, in fact it is a problem now, even where farms are thoroughly fenced, and I cannot see how the scheme we are considering will lighten it. As to increased convenience of winter travel and opportunities for power farming, I feel that the difficulty of winter travel will almost entirely disappear as soon as the hedges and rubbish are removed from the borders of the highways and good wire fences put in their places; while, on the other hand, I do not

think we could do much with power, unless farmers take up with the idea of co-operation and agree to cultivate several farms in common.

I regret that our views do not agree in more particulars, but, as things now go, it looks, as I have said, as though the wire fence is here to stay ; for delivery direct from the factory in June, thus eliminating the middle-man's profits. Meanwhile we are happy at any time to answer inquiries and to give any information in our power. Yours very truly, etc."

Here the Editor of Red and White forecloses on time and space. The landscape gardener's contribution is in hand and will be published separately for vacation reading. I may say that *it* is the picture and *this* the background.



Who does the best his circumstance allows,
Does well, acts nobly ; angels could no more.

The actions of men are the best interpreters of their thoughts.

Adversity is sometimes hard upon a man ; but for one man who can stand prosperity, there are a hundred that will stand adversity.

Affliction is the good man's shining scene ;
Prosperity conceals his brightest ray ;
As night to stars, woe luster gives to man.

Applause is the spur of noble minds, the end and aim of weak ones.

In beauty, faults conspicuous grow ;
The smallest speck is seen on snow.

Conceit may puff a man up, but never prop him up.

True friendship is like sound health, the value of it is seldom known until it be lost.