

37

ANNUAL REPORT  
OF  
The Board of  
Fish and Game Commissioners

OF THE  
STATE OF NEW JERSEY

FOR THE

Year Ending November 1st

1895

974.901

F63



TRENTON, N. J. :  
MACCRELLISH & QUIGLEY, BOOK AND JOB PRINTERS.  
1896.

ANNUAL REPORT

The Board of

Tax and Loan Commissioners

STATE OF NEW YORK

Year Ending November 30,

1892

WILLIAM W. W. ...  
... ..

## LETTER OF TRANSMITTAL.

---

*To His Excellency George T. Werts, Governor, and to the Members of the Senate and General Assembly of the State of New Jersey:*

GENTLEMEN—In accordance with the provisions of law we herewith submit the annual report of the doings of your Board of Fish and Game Commissioners for the year ending November 1, 1895.

Very respectfully,

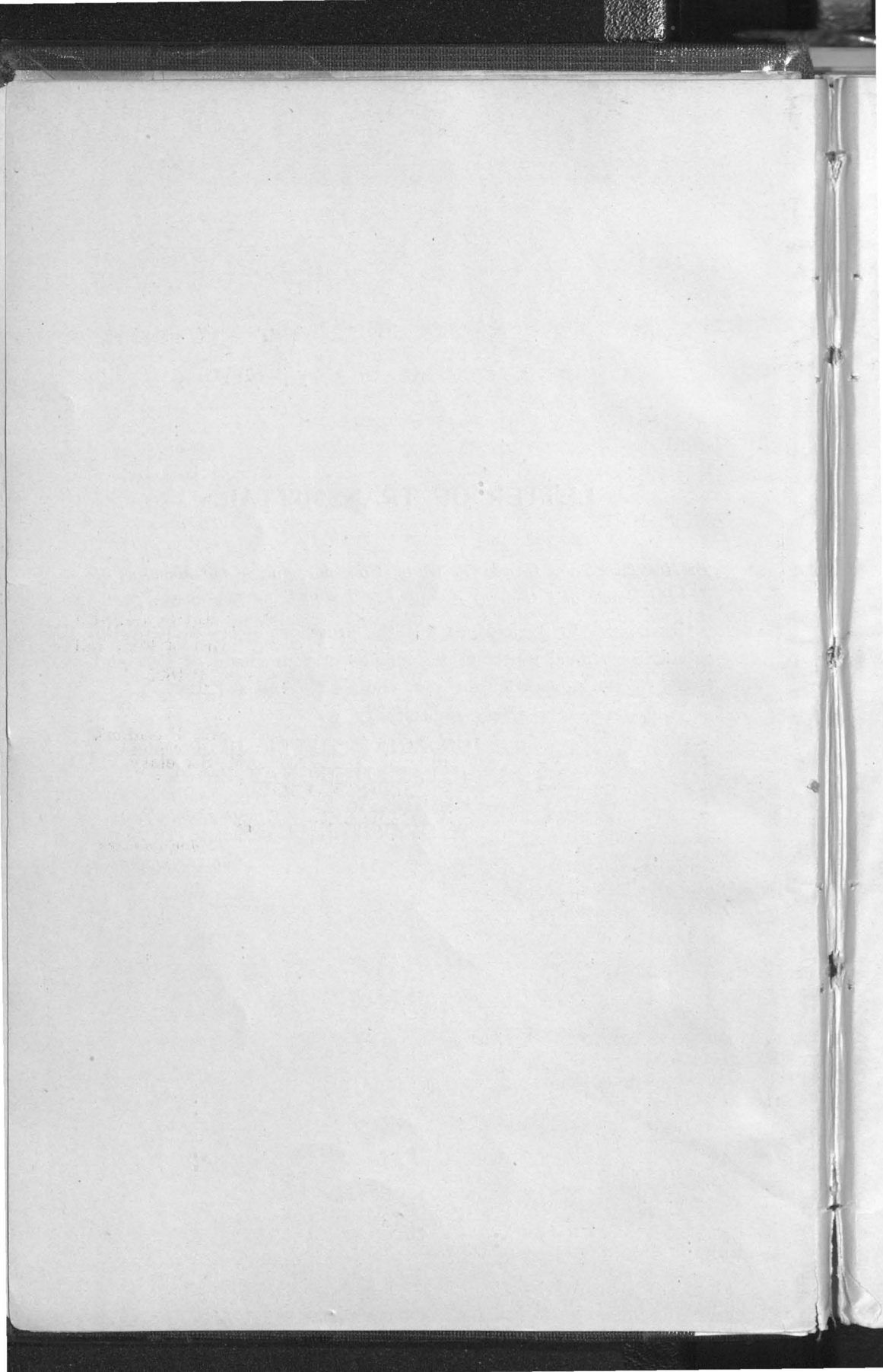
GEORGE PFEIFFER, JR., President,

H. P. FROTHINGHAM, Secretary,

PARKER W. PAGE,

W. CAMPBELL CLARK,

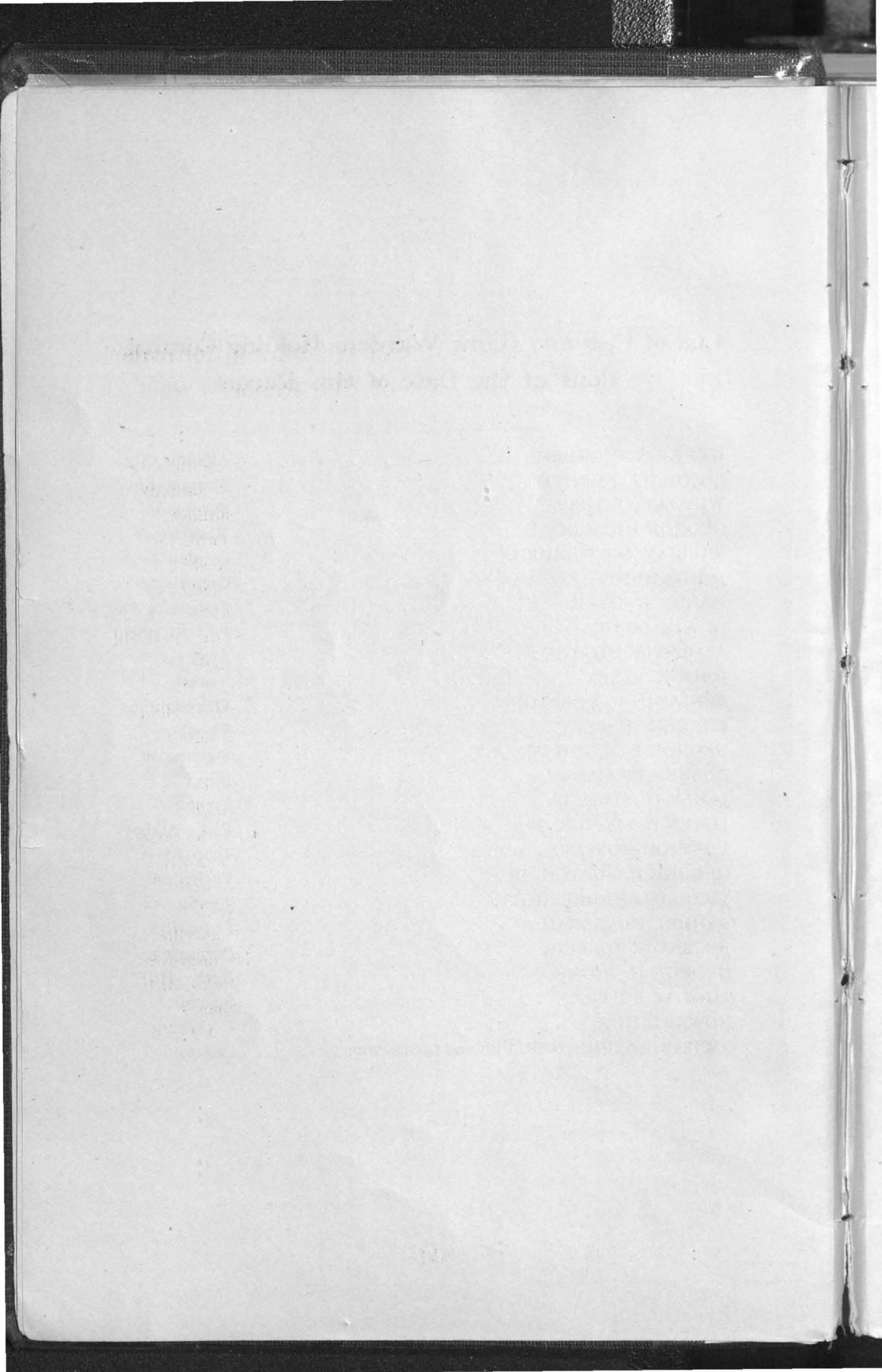
*Commissioners.*



## List of Fish and Game Wardens Holding Commis- sions at the Date of this Report.

---

HENRY SCHNEIDER, . . . . .	Atlantic City.
LEWIS H. BARRETT, . . . . .	Pleasantville.
WILLIAM G. WISE, . . . . .	Burlington.
GEORGE RICARDO, . . . . .	Hackensack.
WILLIAM GUTHERIDGE, . . . . .	Camden.
JAMES HUNT, . . . . .	Camden.
HARRY R. DARE, . . . . .	Bridgeton.
EDWIN LORE, . . . . .	Port Elizabeth.
AUGUSTUS HILTON, . . . . .	Anglesea.
JOHN R. RILEY, . . . . .	Newark.
BENJAMIN F. DENSTON, . . . . .	Thoroughfare.
CHARLES B. PLATT, . . . . .	Woodbury.
GEORGE W. DUNHAM, . . . . .	Flemington.
ROBERT RICHARDS, . . . . .	Dover.
JAMES HUSTON, JR., . . . . .	Trenton.
JAMES L. TOOKER, JR., . . . . .	Perth Amboy.
CLAYTON ROBBINS, . . . . .	Toms River.
GEORGE E. BURTON, JR., . . . . .	Tuckerton.
JACOB B. HENDERSHOTT, . . . . .	Newton.
SAMUEL H. CALLAHAN, . . . . .	Pennsville.
JOSEPH A. ROBBINS, . . . . .	Pennsgrove.
GEORGE H. STONE, . . . . .	Rocky Hill.
THOMAS BRITT, . . . . .	Summit.
EDWARD HILL, . . . . .	Rocksburg.
RICHARD A. SHRINER, Fish and Game Protector, . . . . .	Paterson.



# ANNUAL REPORT

For the Year Ending November 1st, 1895.

---

In submitting our Annual Report we desire, in the first place, to call attention to the fact that there is perhaps no State in the Union better adapted for the preservation of fish and game than the State of New Jersey. Nature has been lavish in her gifts in this direction, for we have not only the primeval forest, with its many hiding-places for game, but also the clearest and purest streams and lakes in this part of the country. If it were possible for science to follow in the footsteps of nature and create a vast preserve for game and fish, no better model could be found than the State of New Jersey. Our woods are admirably adapted for the propagation of all the different kinds of game that thrive in temperate climes; our streams and lakes furnish in abundance natural homes for the finest fish created by nature, and along the eastern boundary of the State sweep the waters of the Atlantic, carrying to our State a never-failing and inexhaustible supply of fish.

It is perhaps on account of this wealth of natural advantages that the State of New Jersey has in the past paid so little attention to the preservation of fish and game. Other States have for many years enforced the most stringent laws, laws so severe in their provisions that the people of New Jersey would never have permitted of their enactment here. States younger in statehood and far less advanced in civilization than New Jersey have for years annually spent thousands upon thousands of dollars in maintaining hatcheries and competent corps of officers for the protection and propagation of game. One of the most important duties of their legislatures has been the enactment of laws to regulate the taking of fish and game and the keeping up of a supply of food fish. Not only the commonwealths immediately contiguous to our State, but those removed from us by hundreds of miles have deemed it prudent to enforce laws absolutely prohibiting the export of fish and game. The past decade has been an era of advancement and progress, so that the scientists of the country have become so thoroughly acquainted with the habits of game and fish that with judicious laws and their proper enforcement there need be no lack of either in any State offering even mediocre advantages. For many

## FISH AND GAME COMMISSIONERS' REPORT.

years New Jersey did not join in this march of advancement ; we were so well supplied that we could afford to be extravagant. But even as the largest patrimony may be squandered, so may the resources of New Jersey become exhausted. The depletion of the woods and waters in the more thickly settled counties of the State called attention to the necessity of more stringent laws and the better enforcement of existing statutes. The Legislature at its last session passed a code of laws far superior in many respects to anything New Jersey has ever had.

It was but natural that some of the enactments should be considered irksome by some people who had been accustomed to revel in a plentiful supply at all seasons of the year, and who could not understand why the same source of supply should not be sufficient for an ever-increasing number of inhabitants. But the necessity of these laws has been recognized by every person who has made a study of nature and her ways, and there is now a healthy disposition prevalent in the State in favor of taking better care of our resources. Many States, with a population far smaller in proportion than New Jersey, have found it advisable and at times absolutely necessary to prohibit altogether the taking of fish and game for periods of years ; others have practically restricted such taking to their own inhabitants. There is no need in New Jersey for any such measures, for with the laws as we have them at present, perhaps somewhat altered in some respects, and facilities for their enforcement similar to those furnished by the last Legislature, we have a plentiful supply of fish and game, not only for ourselves but also for the stranger within our gates.

### THE PROTECTION AND PROPAGATION OF SHAD.

Fortunately for the State of New Jersey, the Federal government and our enterprising neighbor—Pennsylvania—have long since recognized the necessity of properly protecting the shad fisheries and increasing the supply of this valuable food fish. The main source of supply is the Delaware river, and the last Legislature provided that one-fifth of our appropriation should be expended in the propagation of shad in this river. Under all ordinary circumstances this would have been an excellent provision, but we found ourselves confronted by a condition of affairs which almost necessarily prevented us from carrying out the strict letter of the law. The United States government has for a number of years annually stationed its hatching vessel—the Fish-hawk—in the waters of the Delaware off Gloucester City. A supply of shad-fry can be obtained by any State upon making application therefor to the United States Fish Commission ; such requisitions are filled on board

the Fish-hawk, and after the delivery of the fry the work of transportation is entrusted to the State receiving them. In this way a number of States obtain an annual supply of shad-fry. The instructions to the Government officers on board the Fish-hawk are to the effect that all fry not furnished to other States on requisitions shall be planted in the Delaware river. In this way the Delaware has for some years annually received large quantities of young shad, the number varying from fifteen million to forty-five million, according to the success attending the work. The government has costly but perfect appliances for the transportation of shad, and it would have been extremely inadvisable for your Commission, wholly unprovided with means for carrying fry from one point to another, to have expended any part of its appropriation in the doing of work which the national government was ready and willing to do. The shad supply could not have been increased if your Commission had taken charge of the transportation of fry; in fact it could not have been done with the same degree of success. In addition to the supply furnished by the government came the work of the Pennsylvania Commission, so that the river Delaware was well stocked with young shad.

Protection being as necessary as propagation, your Commission did everything that was deemed advisable to protect the young shad which were placed in the Delaware. A very large proportion of the money set aside by the Legislature for expenses of Wardens, was used in patrolling the river, and the Wardens were required to take particular pains in the enforcement of the laws. There were numerous wing-walls, fykes, set-nets, and other unlawful contrivances in the Delaware, especially in the upper reaches; all of these were destroyed and none were allowed to be replaced. In the accomplishment of this task your Wardens received material assistance from the Wardens of Pennsylvania. The good results of this vigilance will undoubtedly be apparent in the course of a short time.

For a number of years thousands of shad were annually destroyed in the Delaware in the raceway of the Trenton Water-Power Company. The water in this raceway comes from the Delaware river, at a point called Scudder's Falls. During the summer months, when the young shad descend to the sea, especially at times when the water in the river was low, thousands of shad were forced into the raceway and destroyed when they reached Trenton. During the past season the company has rebuilt its dam, and negotiations were entered into with the company which resulted not only in the construction of a proper sluiceway in the dam, but also in the maintenance by the company of a screen at the head of the raceway, which effectually prevented any shad

10 FISH AND GAME COMMISSIONERS' REPORT.

from being lost. The Trenton Water-Power Company acted in a most liberal spirit in the matter, adopting satisfactorily every suggestion made by your Commission. Similar evils were remedied in other parts of the river.

A number of persons interested in the shad fisheries of the Delaware have suggested the advisability of establishing another closed day in each week, in order to permit shad in greater number to ascend to their spawning-grounds. Although the suggestion might prove beneficial it cannot be adopted at present, as the Pennsylvania Legislature will not be in session this winter, and the Delaware river is, by treaty between the States of Pennsylvania and New Jersey, a common highway, the laws for the policing of which must be passed by the Legislatures of both States in order to be operative.

The Delaware river being amply provided for in every respect, your Commission turned its attention to the Hackensack river, a stream which some years ago abounded with shad. A detailed statement of the work done towards replenishing the river will be found in another part of this report.

THE FISH HATCHERY.

The Legislature, at its last session, authorized the Commission to purchase, or lease, a fish hatchery, but made no specific appropriation for that purpose. With the limited means at our command the establishment of a hatchery on property for that purpose was out of the question. Arrangements were accordingly entered into with Mr. George Ricardo, one of the Wardens of the State, who has maintained a hatchery on the Hackensack river for a number of years, to supply the Commission with such fish as were deemed the most necessary. The appropriation made by the Legislature was not available until too late for efficient work in the development of trout, and, consequently, but little could be accomplished in that direction. Late as it was, your Commission succeeded in obtaining 50,000 trout eggs from Providence, R I., and these were transferred to the hatchery in Hackensack. The lateness of the season and the jar of transportation resulted in the development of a number of the eggs in transit. Most of these were lost on account of their immaturity. By means of vigilance and the exercise of the greatest of care, 23,216 trout were raised to a size proper to be placed in the brooks, and these were distributed as follows :

May 4.	Cherry Hill, . . . . .	5,000
May 10.	Mount Arlington, . . . . .	5,000
May 12.	West End, . . . . .	5,000

FISH AND GAME COMMISSIONERS' REPORT. 11

May 13.	Sproat Brook, . . . . .	2,500
May 14.	Washington, . . . . .	5,000
July 1.	Thomas Brook, . . . . .	716
	Total, . . . . .	<u>23,216</u>

For the purpose of obtaining the best results in the development of trout eggs, these should be removed in December or January, and your Commission has made such arrangements as it is believed will be satisfactory for the coming season. A number of years have elapsed since any trout were placed in any of the streams at the expense of the State, and, consequently, the supply of trout has been materially reduced. Your Commission proposes to continue the work of replenishing the streams, and there is no doubt that the beneficent results of such work will be apparent in a very few years.

Owing to neglect in past years the supply of smelts in the Hackensack river had been materially reduced, for, while other States were continually adding to the stock of this fish, New Jersey was standing still and depending altogether on natural resources. The smelt fishery is second only to the shad fishery in the Hackensack river, and there is no doubt that smelt might be successfully introduced into a number of our streams where they are now absent or only comparatively few in number. During the past season there were developed at the Hackensack hatchery 20,364,300 smelt, and all of these, with the exception of 3,000,000 placed in the Raritan at New Brunswick, were planted in the Hackensack river. The demand for this delicious fish is increasing with the population, and, as the streams of New Jersey are admirably adapted for its existence, a judicious attention to its propagation cannot but result to the benefit of both the fishermen and the general public.

As explained on a previous page, the United States government looks carefully after the shad fishing in the Delaware river as far as propagation of fish is concerned. No such provision has been made for the Hackensack river. This stream is left altogether to the care of the State. Your Commission accordingly took the necessary steps to resume the artificial propagation of shad in the Hackensack, a work which had been discontinued for a number of years. The work of taking and developing the eggs was begun on the 24th of April last, and when the tenth of June, the date on which fishing for shad closes according to law, arrived it was deemed best to continue the work until the supply of shad was exhausted. That the efforts of the Commission met with a gratifying result is apparent from the following table, giving the number of female shad taken and the number of eggs developed on each day :

12 FISH AND GAME COMMISSIONERS' REPORT.

	Female Shad.	Eggs.
April 24th, . . . . .	1	30 000
April 25th, . . . . .	3	90 000
May 4th, . . . . .	6	180 000
May 6th, . . . . .	5	150 000
May 7th, . . . . .	5	150 000
May 8th, . . . . .	3	90 000
May 9th, . . . . .	10	300 000
May 16th, . . . . .	1	30 000
May 17th, . . . . .	2	60 000
May 22d, . . . . .	1	30 000
May 25th, . . . . .	2	60 000
May 27th, . . . . .	3	90 000
May 29th, . . . . .	1	30 000
May 30th, . . . . .	10	300 000
May 31st, . . . . .	7	210 000
June 4th, . . . . .	1	30 000
June 8th, . . . . .	7	210 000
June 11th, . . . . .	2	60 000
June 15th, . . . . .	11	330 000
June 18th, . . . . .	13	390 000
June 19th, . . . . .	5	150 000
June 24th, . . . . .	7	210 000
June 25th, . . . . .	2	60 000
June 28th, . . . . .	1	30 000
		3,270 000

TRANSPLANTING FISH.

The supply and quality of the fish, in a great many of the lakes and streams of this State, have materially deteriorated during the past few years on the account of the want of the infusion of new blood. In a great many waters the original stock fish were very few in number, and although these increased materially for some years it was but a question of time when the results of inbreeding would be apparent. This was perhaps not so much the case with the indigenous fish as with those brought hither from other States. It was thus found that in some lakes and streams the small-mouthed bass were small and weak; in others a similar condition prevailed in regard to the large-mouthed bass. In some waters the pickerel had been greatly reduced in number and quality, and the pike had altogether disappeared from some waters. Although it will take several years to wholly overcome this evil, your commission proceeded to take such steps as were deemed necessary for a beginning of the work.

For the purpose of ascertaining where the fish supply had become exhausted by inbreeding, or from other causes, your Commission caused

blanks to be prepared and forwarded to the Wardens, with instructions to fill them out properly. In this way a history of every pond in the State was obtained, as far as the fishing interests were concerned, and your Commission was placed in possession of information of great value for the carrying out of a systematic replenishment of the fresh waters of the State. It became apparent from the reports received that a great deal of work could be done toward improving fishing without going outside of the State for a supply of fish. In a number of cases it was found that the fish in ponds within a short radius of each other could be improved by taking fish from one pond and placing them in some of the others, and *vice versa*. Unfortunately the season was not well adapted to this work. Transferring fish is attended with considerable difficulty and expense during the warm months, and some time before the fall set in there was a cold spell of weather which served to drive the bass and other fish from the shallows into deeper water, where it was frequently impossible to reach them. In a number of instances arrangements were made with fishermen, who were glad to take stock fish for the Commission in return for the privilege of keeping the carp taken in the nets. In this way a number of thousand of stock fish were taken and placed in other waters. The work is still in progress at the date of this report, and consequently the details thereof cannot be here adduced. To publish in this report the information gathered by Wardens in relation to the lakes in the State would be an unnecessary expense. But in order that the work done in this respect may be seen, your Commission has caused a detailed report to be entered into two books, which are on file with your Commission and which may be seen by any person interested at any time. Your Commission expects in the early spring to resume the work of replenishing the waters which will shortly be interrupted by the cold weather, and has no doubt that the good results thereof will be apparent in time.

## CARP.

The United States Fish Commission, assisted by private enterprise, some years ago introduced into the waters on this side of the Atlantic a number of the different varieties of English and German carp. This fish, which apparently held an enviable place in Europe, was expected to do well in the waters of the United States and to materially add to our supply of food fishes. It is almost superfluous to state that the carp have multiplied very rapidly, easily accommodating themselves to the conditions of our waters. As to its value, opinions differ. Glowing reports have been published by the United States Fish Commission relative to the benefits accruing from the introduction of carp in some

of the large lakes and ponds of the West, but your Commission believes that it is perfectly safe to say, without chance of successful contradiction, that the introduction of carp into the waters of New Jersey has been attended by nothing but evil results, and that of the most aggravating kind. In a great many of the waters of this State the carp have practically driven out the far superior indigenous fish, and unless a stop were put to the further propagation of carp, it is only a question of time before there would be no fish in our waters but carp. The edible qualities of the carp have not been appreciated in this State, and viewed from the standpoint of an angler, the carp is utterly valueless. The habits of this fish tend to drive away all other kinds of fish. Not only does the carp destroy the clearness of our streams, so necessary to the successful development of American fish, but the carp has also shown a decided liking for the spawn of our native fish. Although the bass and other American fish may successfully defend its young against the ordinary intruder into its nest, it stands no chance whatever against the bulky carp, which, by reason of its strength and size, easily overcomes the weapons given by nature to other and smaller fish. Under these circumstances, your Commission deemed it necessary to take energetic measures towards putting a stop to the further importing of carp into this State. The Legislature was appealed to for help and passed a law making it an offence to liberate carp in any of the waters of this State. This law was not passed a day too soon, for the State was threatened with the introduction here of the English tench, in reality nothing but a carp of a very inferior quality to those already imported. The tench is not regarded anywhere as fit to eat unless it has been fed expressly for this purpose. Some places in other parts of the country may want fish of this kind, but New Jersey, blessed as it is, by nature, with an excellent and bountiful supply of the finest food fish in the world, has no need for anything of the kind, and nothing but serious harm can result from its introduction. Your Commission accordingly instructed the Wardens to be especially vigilant to prevent the liberation of more carp in this State.

But, to a great extent, the evil has already been done, and carp are on the increase in this State. Your Commission accordingly entered into correspondence with a number of the fish culturists in the country for the purpose of ascertaining whether in any way the multiplication of the carp could be stopped. One fact developed by this correspondence was that a great many other States were engaged in endeavoring to find some means of outgeneraling the carp. Experience had shown that attempts to introduce carp had proven failures in waters inhabited by the pike-perch, a fish frequently called the wall-eyed pike, and later

the Susquehanna salmon. This fish had shown a decided liking for the spawn of the carp, and instances were found where the introduction of the pike-perch was followed by the extinction of the carp. The pike-perch, although not as gamy as the black bass, and inferior to it in other respects, is regarded by all as a valuable food fish. It was placed by nature in the streams of this country, and its transplanting has been attended with success in every case where the waters were suitable to its habits. Your Commission at once endeavored to secure the introduction of this fish into the waters of this State, but met with disappointment. Arrangements had been made with the Fish Commission of a Western State for a supply of this fish, but lack of appropriation prevented the taking of the fish, the Legislature of the State referred to having for once declined to make the annual appropriation. Your Commission would have been very glad to have secured a supply of adult pike-perch, but was prevented from doing so. Neighboring States where pike-perch had been recently introduced were naturally jealous as to their removal before they had materially increased in number, and to bring the fish to New Jersey from places where they naturally abound would be attended by so many difficulties that the project was not considered feasible. Your Commission has, however, made arrangements for the securing of a large supply of this fish in the early part of next year.

For the purpose of preparing our streams for the introduction of the pike-perch and also for the purpose of taking stock-fish for the replenishing of the waters of the State, your Commission entered into arrangements with a number of fishermen by which the latter were permitted to net carp under the supervision of Wardens. In a few instances these permits were abused and promptly revoked, but in most cases the fishermen were conscientious in returning to the water all the food fish not wanted by the Commission. The result of this netting was the removal of hundreds of tons of carp from this State and the establishment of the fact that in a number of the waters of the State the carp had driven away all other kinds of fish.

#### LEGISLATION.

During the last session of the Legislature certain laws were passed for the better protection of the fishing and gunning interests of the State. Some of these laws were suggested by your Commission, others emanated from members of the Senate or General Assembly. A practical application of these laws has developed the fact that there are in them a number of incongruities. Your Commission has been at con-

siderable pains to ascertain the desires and wants of various portions of the State, and sees no reason why a law should not be passed providing at the same time for the better protection of sport and paying a judicious regard to the interests of those who may be injuriously affected by a too close attention to the wants and desires of the sportsmen.

For this reason your Commission desires to offer the following suggestions :

The law dividing the State into two game sections has at times given rise to some complications, but it is difficult to see how these can be avoided. The habits of birds and fish would naturally indicate the necessity of different laws for different portions of the State. Although the law has given satisfaction, on general principles, to the southern portion of the State, serious objections have been made thereto in the northern portion. At present the general season is opened on the 25th of October in the northern section of the State. In many years woodcock take their southern flight before that date, and consequently the sportsmen of the northern section, who are compelled to abstain from killing the birds until the 25th of October, are deprived of all sport as far as woodcock are concerned. Giving the sportsmen ten more days at the beginning of the season would be in a measure satisfactory in the northern section, without being open to the objection that there would be no birds left for the people in the southern section. Your Commission would accordingly recommend opening the season on the 15th of October in the northern game section.

The law at present provides that the season for upland plover and dove shall be from the 1st of November to the 15th of December. Long before the opening of the season both plover and dove have left the State, and if these birds should be shot at all, and there seems to be little reason to the contrary, especially as far as plover are concerned, a season should be established beginning as early at least as the opening of the season for woodcock and quail.

The seventeenth section of the general Fish and Game act provides that eel-baskets or eel-weirs may be maintained from the 15th of September to the 1st of November. There are serious objections to this law. Although the principle that fish and game belong to the State, and not to the individuals on whose property they may be found, has been generally adopted, there is no reason why some special privileges should not be given to the farmer and landowner, who, in some instances, are annoyed by the presence of game on their properties. Eel-weirs are destructive to the life of fish, and if these were permitted to be indiscriminately used, there would soon be an end to

the fish supply in the fresh waters of this State. Your Commission would accordingly suggest the passage of a law by which farmers and landowners may be permitted to make use of eel-pots and eel-baskets placed on the bottom of streams at all times of the year. These contrivances are more easily constructed and are more effective in the taking of eels and catfish than are eel-weirs, and the result of such an enactment would be that landowners would be enabled to take these fish whenever it suited them to do so.

The section of the law making it unlawful to remove game and fish from the State, excepting by the person who may have lawfully captured the same, has met with considerable opposition in the southern portion of the State, where there are still a few men who depend on marketing game to assist them in gaining a livelihood. Your Commission would, however, respectfully urge that something must be done to put a stop to the diminishing of game and fish within the borders of New Jersey, and for this reason the section above referred to was enacted. The last Legislature, in passing this law, only followed in the footsteps of twenty-seven other States, where such measures have been in force for many years. States in the extreme west and south, which are still teeming with game, have adopted similar laws, and, compared to the laws of those States, the law of New Jersey is anything but stringent. The principal objection to the law was that it prevented the marketing of reed birds by dealers. In this connection it should be remembered that the reed bird is, during the larger portion of the year, an insectivorous bird of great value to the farming community. To permit the shooting of these birds by the thousands would eventually drive them from our shores, and the result would be a serious loss to the citizens of this State engaged in agricultural pursuits, a loss which, once sustained, would be irreparable.

For the better carrying out of the purposes for which your Commission was established the passage of the following laws are respectfully requested:

*A Law for the Protection of Lobsters.*—The increasing demand for lobsters has created a scarcity in the markets which other States along the Atlantic seaboard have endeavored to obviate by the passage of laws prohibiting the taking or marketing of lobsters less than ten and a half inches in length. There is no such law in this State and the result has been the dumping into this State of small lobsters which cannot be sold anywhere else. Although it would appear to be to the best interests of fishermen to permit lobsters to attain a fair size and to permit them to propagate, a legislative enactment to that effect will be necessary if the supply of lobsters is not to be cut off altogether.

*A Law Prohibiting the Erection of Obstructions in Streams.*—For the purpose of preserving to themselves trout and other fish, certain clubs and individuals have erected on their properties screens, which prevent the fish from ascending or descending. This is entirely contrary to the whole principle of fish and game legislation and your Commission would respectfully suggest the passage of a law making it an offence to erect such screens or other obstructions.

*A Law Protecting Striped Bass.*—For the purpose of the better protection of this valuable food fish, your Commission would respectfully suggest the passage of a law prohibiting the taking or marketing of these fish until they have attained a weight of at least one-half a pound.

*A Law Prohibiting the Hounding of Rabbits.*—A great deal of damage has been done to rabbits by the permitting of hounds to run at will in the woods during the close season. For the purpose of putting a stop to this evil your Commission would respectfully suggest the passage of a law making it an offence to knowingly permit the running at large of hounds in woods and fields inhabited by rabbits.

*A Law Regulating Pound Nets.*—An evil which has assumed very large proportions of late years is the existence and constant multiplication of pound nets along the coast lines of this State. Every year sees an increase in the number of these contrivances for the wholesale slaughter of fish, and some of them have been erected near inlets to rivers and bays, thus effectually preventing the food fish of the sea from reaching their spawning-grounds. Laws regulating the taking of shad have been enforced for many years in this and other States, and the time has arrived when it is necessary to look after the preservation of other kinds of valuable food fish from the sea. The erection of pound-nets has deprived thousands of fisherman along the coast from earning a livelihood by taking fish with hook and line or by means of seines, and although a few individuals may have accumulated fortunes there has been no beneficial result to the general community. With due regard for the industry represented by these pound-nets, your Commission would urge the enactment of a law regulating the erection of these nets, the taking out of a license for that purpose and the requirement of all owners of such nets to raise the pockets thereof from Saturday until Monday. Such restrictive legislation would not interfere with the supply of food fish, for it is a well-known fact that pound-nets have wasted thousands of tons of valuable food fish during the past few years, the markets being unable to take all that were caught, and it

would enable at least a percentage of the fish to reach their spawning-grounds.

*A Law Protecting the Fishing in the Inland Tide-waters of the State.*—There are at present on the statute books of the State a number of laws regulating the taking of fish in the inland tide-waters of the State. Many of these laws are very complicated and difficult to be understood. In some portions of the State netting is absolutely prohibited during the larger part of the year, and in adjoining portions there is no restriction whatever on the use of nets. Your Commission would accordingly suggest the passage of a law making a close season in all inland tide-waters, the Delaware river excluded, extending from the fifteenth of May to the first of September, with no exception whatever except in favor of streams inhabited by shad, where the use of a five-inch mesh net might be permitted until the tenth of June.

*A Law Relative to the Appointment of Wardens.*—The law at present requires your Commission to appoint twenty-five men to be Fish and Game Wardens; each of these men draws a salary of six hundred dollars a year, and has an allowance of two hundred dollars a year for expenses. Men who have the intelligence and courage to properly enforce the fish and game laws can command salaries exceeding six hundred dollars a year; if the wardens are to be required to travel all over the State, as is absolutely necessary for the enforcement of the law, two hundred dollars is not sufficient for expenses for twelve months. If your Commission were permitted to appoint a smaller number of men, with salaries of eight hundred dollars a year, and an allowance for expenses to be regulated by your Commission, but not to exceed in the aggregate the amount now allowed for expenses, your Commission feels confident that the law would be enforced in a better manner. As the law stands now your Commission is hampered by certain restrictions, the removal of which would inure to the benefit of the State. The total amount of money appropriated last year would be sufficient, but we feel confident that better results could be obtained if the disbursement of this money were placed to a greater extent in the hands of your Commission.

*A Law Providing for the Appointment of Deputies.*—Your Commission would also recommend the re-enactment of the law providing for the appointment of deputies, such appointees to serve without compensation or any expense to the State. This would be of material assistance to our wardens in the enforcements of the laws.

*A Law Regulating Fishing with Purse-nets from Steam Vessels.*—For a number of years it has been the opinion of lawyers that the right to control the fishing interests within three miles of the coast line belonged to the United States, and not to the individual States. A number of States enacted laws regulating or prohibiting the taking of menhaden and other fish from steam vessels within the three-mile limit, but no attention was paid to these laws on the presumption that they were contrary to the provisions of the Constitution of the United States. In the meantime the taking of food-fish by the use of purse nets from steam vessels assumed proportions which called for some restriction. The number of steamers engaged in this wholesale slaughter of fish increased year by year, and Congress did not see fit to take any action in the matter. At first only menhaden were taken for the purpose of converting them into compost, but latterly valuable food-fish have been taken for similar purposes. The State of Massachusetts finally took action in the matter by bringing a suit to test the validity of a law on its statute books prohibiting the taking of menhaden in the manner indicated.

The association of menhaden fishermen took up the fight, the result of which was that the Supreme Court of the United States, a short time ago, upheld the Massachusetts enactment, declaring that the right governing and regulating the taking of fish within the three-mile limit belonged to each individual State. In this State it has been claimed that the statute prohibiting the use of steam vessels for the taking of menhaden is unconstitutional as far as the State Constitution is concerned. In order that there might be no doubt on this point your Commission has instituted a suit against John Fifield and others for a violation of this enactment; a conviction was obtained in the lower court and the case removed to the Supreme Court on certiorari. Menhaden furnish food for the bluefish, and the indiscriminate and wholesale slaughter of menhaden will eventually drive the bluefish from our shores. Your Commission is, however, of the impression that the limited taking of menhaden will not do any substantial damage, at least not for many years to come. The problem accordingly presents itself as to where the line should be drawn. If the residents of New Jersey should have any special privileges not accorded here to residents of other States, an application of such a principle might be made in this matter with good reason. For the purpose of limiting the taking of menhaden, your Commission would suggest the passage of a law by which residents of this State may be licensed to take such fish by the use of steam vessels and purse-nets, and that the taking of food fish in this manner be prohibited to all persons.

Your Commission would also urge the excision of the word "unlawfully" from all sections of the fish and game laws prohibiting possession of fish and game during the close season. As the law now reads, it prohibits the "unlawful possession" only. This naturally gives rise to the question as to what constitutes unlawful possession. The law has been construed by the courts to apply only to fish and game captured within the State during the close season. This interpretation of the law would throw our markets open to the indiscriminate sale of game and game fish at all times of the year, and under such circumstances it would be very difficult indeed to secure an enforcement of the laws, as the burden of proving that the fish and game had been killed within the State would be upon the prosecutor. Manifestly this would be difficult of accomplishment in the majority of cases. Other States prohibit absolutely the possession of fish and game during the close seasons, and there seems to be no reason why New Jersey should be an exception to the general rule.

Your Commission would also suggest the incorporation in the special deficiency bill, which your Commission understands is to be introduced at the next session of the Legislature, of a provision for the payment of the expenses and services of Wardens for the period between March 22d and April 15th of this year. Upon a cursory examination of the law, approved on the 22d of March last, the Attorney-General gave it as his opinion that it would not go into effect until the fourth of July next ensuing. The Wardens were accordingly instructed by your Commission to continue the enforcement of the laws as directed by the law then supposed to be in force. A more careful investigation of the matter induced the Attorney-General to give a different decision later on. In the meantime the Wardens were going on with their work; it was the height of the shad season and there was a great deal to do along the Delaware. The bills for services thus rendered and expenses incurred could not be paid under the old law, as that had been repealed; nor could these bills be paid under the new law, as no Wardens were appointed until after April 15th. The justice of reimbursing Wardens for expenses incurred and paying them for work honestly done is apparent.

Your Commission would also respectfully call attention to a law at present upon our statute books which has given rise to a great deal of complaint. The law referred to grants a charter to the West Jersey Fish and Game Protective Society and provides that no person shall gun or fish in the six southern counties of the State without having first complied with such by-laws as this society may have seen fit to enact. The principal by-law of this society provides that non-residents

must become members before they can shoot or fish, but any non-resident can attain membership upon the payment of five dollars for the first year and two dollars for each subsequent year. Aside from the questionableness of a delegation of the law-making power by the Legislature to another body, comes the objection that the by-law opens our fields and streams to such non-residents as can afford to pay for the same. The law, in our opinion, is not in accordance with the spirit of American institutions. To exclude a man from certain privileges because he cannot afford to pay five dollars therefor does not speak well for the hospitality of New Jersey. Numerous complaints concerning this law have been received, and information obtained from our Wardens is to the effect that the violators of the law who have been prosecuted in the counties where this law applies were almost invariably members of this society. Your Commission is also informed that the membership of this society is composed, principally, of sportsmen from Philadelphia and other places. Your Commission would accordingly suggest the repeal of this law.

#### PROSECUTIONS.

The Fish and Game Wardens appointed by the Commission have been required at all times to enforce all the laws for the protection of fish and game. It is but natural that some should have proven themselves more vigilant and efficient than others. It has always been the endeavor of your Commission to enforce the laws without being harsh or cruel, and in a number of cases, where the poverty of the offenders or mitigating circumstances called for mercy, your Commission has consented to suspensions of sentences. In many counties prosecutions for violations of the fish and game laws had not been heard of for many months, and it was at first a rather difficult task to induce people to believe that fish and game laws had been passed for the purpose of being observed. The rather unusual vigilance exercised called forth objections at first, but when the justice and necessity of the laws was made apparent, and when it was made to appear that the law was to be enforced against all alike, these objections disappeared.

The following is a record of prosecutions since the first of January last :

1-3. Philip Morris, Edward Thomas and Joseph Fogg were convicted on January 2d by Warden Dare, of Cumberland county, for having each killed a rabbit out of season. They were each fined \$20 and the costs.

4-8. On the same day Warden Riley, of Essex county, secured the following convictions: Charles H. Ackerman, fined \$40 and costs; J. C. Hemmingdinger, fined \$40 and costs; Jacob Lowenstein, fined \$60 and costs; Philip Kirchner, fined \$40 and costs; S. H. Cohn, fined \$20 and costs. The defendants were all charged with having had game in their possession.

9. On the 5th of January, Warden Riley, of Essex county, secured the conviction of E. H. Quinn & Co., charged with having had rabbits in their possession. They were fined \$100 and costs.

10-11. On January 19th, Warden Riley, of Essex county, secured the conviction of Samuel Mayer, fined \$40 and costs, and Frederick Schoenleben, fined \$80 and costs, for having had rabbits in their possession.

12-15. On January 22d, Warden Hendershott, of Sussex county, secured the conviction of William A. Strube, Oliver Morris, J. F. Coursen and W. Coursen for having fished with nets. The offenders were fined \$25 and the costs.

16. On January 24th, Warden Hendershott, of Sussex county, secured the conviction of Lewis Roy for having killed a rabbit. The defendant was fined \$20 and the costs.

17. On January 26th, Warden Meskill, of Morris county, secured the conviction of an unknown defendant for unlawful hunting. The defendant was fined \$20 and costs.

18-19. On January 31st, Warden Riley, of Essex county, secured the conviction of James Clark, fined \$20 and the costs, and Jacob Guttrel, fined \$10 and costs, for having had game in possession.

20. On January 31st, Warden Dare, of Cumberland county, secured the conviction of Charles Lutchun, for gunning on Sunday. The defendant was fined \$20 and the costs.

21. On March 5th, Warden Dare, of Cumberland county, secured the conviction of Benjamin Rainan for gunning on Sunday. The defendant was fined \$20 and costs.

22. On June 4th, Warden Hunt, of Camden county, secured the conviction of Henry Livermore for having had black bass in his possession. The defendant was fined \$20 and costs.

23-24. On May 22d, Warden Hendershott, of Sussex county, made a complaint against Obadiah Smith and John Stephenfield, charging them with having netted fish. The accused were convicted and sentenced each to ten days in jail.

25. On April 21st, Fish and Game Protector Shriner, of Passaic county, made a complaint against Jacob Mead for having shut off the waters of the Pequannock river for the purpose of taking fish. Owing

to the inability of the officer to arrest the defendant in the county where the complaint was made the case was discontinued.

26-27. On May 26th, Warden Hunt, of Camden County, made a complaint charging Joseph Hable and Charles Kennela with having netted fish. The defendants pleaded guilty and were permitted to go under a suspension of sentence, the nets having been destroyed.

28-29. On May 26th, Warden Wise, of Burlington, arrested in Morris County, Robert Browning and William Gregory, charged with having taken bass out of season. Browning was sentenced to ninety days in jail and Gregory to sixty.

30. On May 27th, Warden Wise also arrested Jonathan Black in Morris County, charged with having taken bass out of season. The defendant was fined \$40 and costs.

31-32. On May 29th, Warden Dare, of Cumberland, complained of Charles Appleton and William Cobb, charging them with having taken mamnose. The accused were convicted and each fined \$10 and costs.

33. On May 22d, Warden Hill, of Warren County, complained of Adam Smith, Jr., charging him with having attempted to take a rabbit. The defendant was convicted and allowed to go under suspension of sentence.

34. On June 7th, Warden Schneider, of Atlantic, made a complaint against Henry Boice, charging him with having taken mud-hens' eggs. The defendant was convicted and fined \$120 and costs.

35-36. On June 10th, Fish and Game Protector Shriener made a complaint in Morris county, charging that James Dunnigan and Alexander Moir had taken trout under size. The defendants were convicted and fined \$60 and costs each.

37. On April 19th, Warden Riley, of Essex county, charged Jacob Finkenstein with having in his possession bass out of season. The defendant was convicted and fined \$300 and costs; he appealed the case to the Court of Common Pleas, where the judgment below was reversed on a point of law.

38-41. On June —, Warden Robbins, of Ocean county, made a complaint charging that William Brown, Watson Penn, William Morse and Samuel Soper had fished in Barnegat Bay with nets. Morse was convicted and a judgment entered against him of \$100 and costs; the others were acquitted.

42. On June 9th, Warden Tooker, of Middlesex county, made a complaint against Charles Roth, charging him with hunting on Sunday. The defendant was convicted and allowed to go under a suspension of sentence.

43. On June 12th, Wardens Hilton and Barrett, of Cape May and Atlantic, respectively, made a complaint charging Charles Wright with

having killed a duck out of season. The defendant was convicted and fined \$20 and costs.

44-45. On June 11th, Warden Wise, of Burlington county, made a complaint charging that William Wilson and Thomas Vandegrift had fished unlawfully with a net in the Delaware river. The defendants were convicted and fined \$15 and the costs each.

46-48. On June 24th, Warden Dunham, of Hunterdon county, charged George Wean, William Tomer and Clayton Wean with having netted fish. George Wean and William Tomer were convicted and fined \$50 and the costs each, in default of which they were sent to jail. Clayton Wean was also convicted, but allowed to go under suspension of sentence.

49. On June 10th, Fish and Game Protector Shriner made a complaint charging that Jacob Mead had in the county of Morris shut off the waters of the Pequannock river for the purpose of taking fish, the suit being an outcome of the case referred to above as No. 25. The defendant was convicted and fined \$50 and the costs. He appealed the case to the Court of Common Pleas, where it is still pending.

50-54. On May 19th, Warden Wise, of Burlington, charged Malcolm Bell, William Hance, William Fennell, Joseph Parent and William D. Hartshorn with having netted fish. The defendants were convicted and fined \$25 and the costs.

55. On May 13th, Warden Wise, of Burlington, charged William M. Wells with having killed two ducks out of season. The defendant was convicted and fined \$40 and costs.

56. On June 26th, Fish and Game Protector Shriner charged Angelo Solandino with having killed two robins. The defendant was convicted and fined \$40 and the costs.

57-58. On June 25th, Warden Dunham, of Hunterdon, charged D. W. Hoover and William Hoover with having shut off the water from a brook for the purpose of taking fish. The defendants were convicted and fined \$25 and the costs each.

59. On July 1st, Fish and Game Protector Shriner charged Edward T. Boote with having maintained an eel-weir on property under his control in Morris county. The defendant was acquitted.

60. On July 2d, Warden Hendershott, of Sussex county, charged the Newton Gas Light Company with having polluted a stream by permitting deleterious matter to flow into it. The defendant was convicted and fined \$100 and the costs.

61. On June 26th, Warden Dare, of Cumberland, charged Richard Lore with having netted fish unlawfully. The defendant was convicted and fined \$100 and the costs.

62. On June 25th, Warden Dunham, of Hunterdon county, charged Peter Daniel with having shut the water off a brook for the purpose of taking fish. The defendant was convicted and fined \$25 and the costs.

63. On July 17th, Fish and Game Protector Shriner made a complaint, charging that William C. DeGraw had shot duck from a steam launch in Greenwood Lake. The defendant, who keeps a hotel in the New York part of Greenwood Lake, has since evaded service of process.

64. On July 17th, Fish and Game Protector Shriner charged Thomas Chamberlain with having erected an eel-weir in Morris county, the suit being the outcome of the case referred to above as No. 59. The defendant was convicted and fined \$20 and the costs.

65. On July 17th, Warden Dunham, of Hunterdon, charged Daniel Britton with having taken bass under size. The defendant was convicted and fined \$20 and the costs.

66. On July 15th, Warden Tooker, of Middlesex, charged that Mahlon Mundy, Jr., had placed paris green on some cabbages for the purpose of poisoning rabbits. The defendant pleaded guilty and was allowed to go under a suspension of sentence on the payment of costs.

67. On July 31st, Warden Dunham, of Hunterdon county, charged the Flemington Gas-Light Company with having permitted deleterious substances to flow into a stream. The defendant was convicted and fined \$100 and the costs.

68-69. On July 30th, Warden Dunham, of Hunterdon county, charged David Snyder and George Snyder with having netted fish. The defendants pleaded not guilty and the cases have not been disposed of as yet.

70-71. On July 31st, Warden Hill, of Warren county, assisted a Pennsylvania Warden in arresting Howard Stern and Howard Skillman for having netted fish. The defendants were tried in Pennsylvania and convicted, each being fined \$20 and the costs.

72. On July 22d, Warden Dare, of Cumberland county, charged Charles Ott with having killed a duck out of season. The defendant was convicted and fined \$20 and the costs.

73-74. On August 6th, Warden Tooker, of Middlesex county, charged Charles Drake and Alexander Harris with having netted fish. The defendants were acquitted.

75-76. On August 6th, Warden Hill, of Warren county, charged Oliver Smith and Samuel Hess with having fished with set-lines. The arrest was made in company with a Pennsylvania warden and the defendants were each fined \$50 and the costs in Pennsylvania.

77. On August 6th, Warden Barrett, of Atlantic county, charged Robert Thurlow with unlawful fishing. The defendant was convicted and fined \$20 and the costs.

78-79. On July 25th, Warden Schneider, of Atlantic county, charged Elmer Strickland and Morris Johnson with unlawful fishing. The accused were acquitted.

80-86. On August 18th, Wardens Hill and Dunham charged Alfred Crane, William Huber, John McQuade, Frederick Abele, John Harrison, William Briody and John Beaumont with having taken bass under size in Greenwood Lake. The defendants were convicted and fined \$60 and the costs; the cases were appealed to the Court of Common Pleas.

87. On August 18th, Wardens Hill and Dunham, charged Edward Van Truen with having taken bass under size out of Greenwood Lake. The defendant was convicted and appealed the case to the Court of Common Pleas, he having been fined \$60 and the costs.

88-89. On August 26th, Warden Hill, of Warren county, charged J. C. Montgomery and Frederick Hoar with trespass. The defendants were permitted to go on payment of costs.

90-93. On August 27th, Warden Schneider charged Walter Fifield, John C. Fifield, Elva Fifield and Joseph L. Sutton, with having taken menhaden with purse-nets from steam vessels within three miles of the Atlantic county coast line; the defendants were convicted and fined \$200 and the costs. The cases were then removed to the Supreme Court on certiorari, a more extended reference to which will be found in a previous part of this report.

94-97. On August 2d, Warden Huston, of Mercer, charged William Porter, Frank Lechner, William Kenney and William Ent, with unlawful fishing. The defendants were convicted and fined \$100 and the costs.

98. On August 20th, Warden Hilton, of Cape May, charged John Spier with fishing with a net. The defendant was convicted and fined \$1 and the costs.

99. On September 1st, Warden Wise, of Burlington, charged O. B. Morley with Sunday gunning. The defendant was convicted and fined \$20 and the costs.

100-101. On August 31st, Warden Platt, of Gloucester county, charged James Pierce and George Pierce with fishing with a net. The defendants were convicted and fined \$30 each and the costs.

102. On August 31st, Warden Dunham, of Hunterdon, charged Edward Howard with having polluted a stream. The accused pleaded not guilty and the case is not disposed of as yet.

103-104. On August 31st, Warden Dunham, of Hunterdon, charged Henry Wardell and Charles Bidwell with having polluted streams. The accused pleaded not guilty, and the cases are not yet disposed of.

105-106. On September 16th, Warden Hilton, of Cape May, charged Daniel Ludlum and Taylor Henry with the unlawful possession of

squirrels. The defendants were convicted and each fined \$20 and the costs.

107. On August 26th, Warden Hill, of Warren county, charged Jacob Vleite with having maintained an eel-weir. The defendant was convicted and fined \$50 and the costs.

108. On September 12th, Warden Richards, of Morris county, charged Ansolan Norman with Sunday gunning. The defendant was convicted and fined \$20 and the costs.

109-110. On September 22d, Warden Wise, of Burlington, charged Charles Roselle and William Matthews with Sunday gunning. The defendants were convicted and fined \$20 and the costs.

111-114. On September 22d, Warden Ricardo, of Bergen county, charged F. Givanni, F. Brit, P. Calchino and John Quay with Sunday gunning. The defendants were convicted and fined \$20 and the costs.

115-116. On June 2d, Warden Wise, of Burlington, charged John Lawless and David Venneman with unlawful fishing. No further penalty was imposed than the confiscation of the net.

117-118. On September 28th, Warden Hendershott, of Sussex county, charged Abraham Ackerman and M. T. Shannon, of Warren county, with having bass under size in their possession. The defendants were convicted and fined \$20 each and the costs.

119. On September 17th, Warden Hilton, of Cape May, charged Richard Tozer with having killed a squirrel. The defendant was convicted and sentenced to thirty days in jail.

120. On September 11th, Warden Wise, of Burlington, charged Jacob Haverstraw with having killed a squirrel. The defendant pleaded not guilty, and the case is not yet disposed of.

121-123. On October 3d, Warden Hunt, of Camden county, charged Felice De Marco, Nicholas Walpa and Joseph De Marco with having killed robbers. The defendants were convicted and fined \$140 and the costs.

124-126. On October 6th, Warden Hilton, of Cape May, charged Henry Lake, George W. Alderemat and William Akers with Sunday gunning. The defendants were convicted and fined \$20 and the costs each.

127. On October 10th, Warden Richards, of Morris county, charged John Dunn with Sunday gunning. The defendant was convicted and fined \$20 and the costs.

128. On October 12th, Fish and Game Protector Shriner charged Angelo Costa with killing insectivorous birds. The defendant was convicted and fined \$20 and costs.

129. On October 20th, Wardens Barrett and Hilton arrested an unknown person in Passaic county for Sunday gunning. The accused

surrendered his gun as security for his appearance to answer the charge but has not been heard from since.

130. On October 23d, Warden Ricardo, of Bergen county, charged Frederick Meyer with having killed insectivorous birds. The defendant was fined \$80 and the costs.

131. On September 17th, Warden Richards, of Morris county, charged Warren Davenport with Sunday gunning. The defendant was convicted and fined \$20 and the costs.

132. On October 24th, Warden Richards, of Morris county, charged John Crabtree with having shot ducks from a steam launch at Lake Hopatcong. The defendant was convicted and fined \$20 and the costs.

133. On September 10th, Warden Richards, of Morris county, charged William Pascoe with Sunday gunning. The defendant was convicted and fined \$20 and the costs.

134. On October 4th, William H. Brown, Roselle, Union county, acting under the direction of the Fish and Game Protector, charged Irving Stanley with having killed a squirrel. The defendant was convicted and fined \$20 and costs.

135. On October 20th, William H. Brown, acting under the direction of the Fish and Game Protector, charged Thomas Tacowan with Sunday gunning. The defendant was convicted and fined \$20 and the costs.

136. On October 19th, William H. Brown, acting under directions as above, charged Peter Shafer with having killed a rabbit. The defendant was convicted and fined \$20 and the costs.

137. On October 19th, William H. Brown, under direction as above, charged George Pepino with having killed song birds. The defendant was convicted and fined \$20 and the costs.

138-141. On October 6th, William H. Brown, under direction as above, charged Joseph Rockeddi, John Aiken, Theodore Bellvillard and John Edgeworth with gunning on Sunday. The defendants pleaded not guilty and the case has not yet been disposed of.

142-147. On October 27th, William H. Brown, acting under directions as above, charged Edward Makers, Augustus Herdon, Martin Herdon, William Haviland, Thomas O'Connell and Charles Bissell with gunning on Sunday. In the cases of Haviland, O'Connell and Bissell sentence was postponed on the payment of costs, the other cases have not been disposed of as yet.

148-149. On October 24th, Warden Wise, of Burlington county, charged Benjamin F. Murray and Daniel Debault with fishing unlawfully. The defendants were convicted and fined \$5 and the costs each.

30 FISH AND GAME COMMISSIONERS' REPORT.

150. On October 27th, Warden Wise, of Burlington, charged James Hammond with fishing with a set line. The defendant was convicted and fined \$25 and the costs.

151-152. On October 27th, Warden Wise, of Burlington, charged Wacco Ellaco and Antonio Roussi with Sunday gunning. The defendants were convicted and fined \$20 and the costs.

153-154. On October 14th, Warden Britt, of Union county, charged Edgar C. Hopping with having killed a rabbit and a squirrel. The defendant pleaded not guilty and was acquitted.

155-156. On October 17th, Warden Britt, of Union, charged Lewis Barton and Edgar C. Hopping with having killed rabbits. The defendants pleaded not guilty and were acquitted.

157. On October 28th, Warden Dare, of Cumberland, charged Charles Fleming with having killed a rabbit. The defendant was convicted and fined \$20 and the costs.

The foregoing prosecutions were all conducted by Wardens or at the direction of the Fish and Game Protector. In some of the cases the Wardens credited with the prosecutions were assisted by other Wardens. In addition to these prosecutions there were a number conducted by officers of fish and game protective societies, but of these no record was kept further than the receipt of the Commission's share of the fines.

# Financial Statement.

JERSEY CITY, N. J., November 1st, 1895.

*The Board of Fish and Game Commissioners of the State of New Jersey*  
In Account with **HOWARD P. FROTHINGHAM, Treasurer.**

Receipts and disbursements under an act entitled "An act to provide means to increase the fish production of the waters of this State," approved March 21st, 1895.

### RECEIPTS.

Received from Hon W S Hancock, Comptroller, &c, June 27, 1895,	
being the amount of appropriation made by the State, . . . . .	\$5,000 00
Received from fines, . . . . .	813 34
	\$5,813 34

### DISBURSEMENTS.

Paid by Howard P. Frothingham as Treasurer, the following amounts as per notation of vouchers :

Voucher.	Ordered Paid.	
No. 1. George Ricardo, . . . . .	June 4, . . . . .	\$550 00
No. 2. A. J. Doan, . . . . .	June 4, 1895, . . . . .	304 20
No. 3. Dickinson, Thompson & Mc- Master, . . . . .	June 4, 1895, . . . . .	422 87
No. 4. Paterson Chronicle Co., . . . . .	June 4, 1895, . . . . .	36 00
No. 5. Paterson Chronicle Co., . . . . .	June 4, 1895, . . . . .	41 62
No. 6. Paterson Chronicle Co., . . . . .	June 4, 1895, . . . . .	35 50
No. 7. Ironclad Mfg. Co., . . . . .	June 4, 1895, . . . . .	15 00
No. 8. J. W. Hoxie & Co., . . . . .	June 4, 1895, . . . . .	50 00
No. 9. Abendroth & Root Mfg Co, . . . . .	June 4, 1895, . . . . .	8 50
No. 10. Charles Wendt, . . . . .	July 9, 1895, . . . . .	5 10
No. 11. George W. Pertain, . . . . .	July 9, 1895, . . . . .	18 50
No. 12. George W. Pertain, . . . . .	July 9, 1895, . . . . .	28 00
No. 13. Roebuck & Moynahan, . . . . .	July 9, 1895, . . . . .	28 16
No. 14. Riker & Riker, . . . . .	July 9, 1895, . . . . .	10 00
No. 15. Charles A. Shriner, . . . . .	July 9, 1895, . . . . .	26 69
No. 16. W. S. Hancock, . . . . .	July 9, 1895, . . . . .	50 00
No. 17. Harry R. Dare, . . . . .	July 9, 1895, . . . . .	5 00
No. 18. Jacob B. Hendershott, . . . . .	July 9, 1895, . . . . .	10 25
No. 19. George W. Dunham, . . . . .	July 9, 1895, . . . . .	52 18

32 FISH AND GAME COMMISSIONERS' REPORT.

Voucher.	Ordered Paid.	
No. 20. Henry Schneider, . . . . .	July 9, 1895, . . . . .	\$5 00
No. 21. Roebuck & Moynahan, . . . . .	July 9, 1895, . . . . .	97 34
No. 22. Roebuck & Moynahan, . . . . .	July 9, 1895, . . . . .	60 44
No. 23. J. Carmichael, . . . . .	Aug. 6, 1895, . . . . .	50 00
No. 24. Chas. A. Shriner, . . . . .	Aug. 6, 1895, . . . . .	29 80
No. 25. Roebuck & Moynahan, . . . . .	Aug. 6, 1895, . . . . .	27 32
No. 25. J. T. Seavers, . . . . .	Aug. 6, 1895, . . . . .	20 00
No. 27. George Ricardo, . . . . .	Aug. 6, 1895, . . . . .	650 00
No. 28. George W. Dunham, . . . . .	Aug. 6, 1895, . . . . .	15 00
No. 29. G. C. Lowe, . . . . .	Aug. 6, 1895, . . . . .	24 64
No. 30. J. T. Severns, . . . . .	Aug. 6, 1895, . . . . .	9 65
No. 31. S. M. Roberts, . . . . .	Aug. 6, 1895, . . . . .	25 00
No. 32. Geo. Ricardo, . . . . .	Sept 10, 1895, . . . . .	4 95
No. 33. Wm. J. Kraft, . . . . .	Sept. 10, 1895, . . . . .	25 00
No. 34. Roebuck & Moynahan, . . . . .	Sept. 10, 1895, . . . . .	41 70
No. 35. Charles A. Shriner, . . . . .	Sept. 10, 1895, . . . . .	18 50
No. 36. Charles A. Shriner, . . . . .	Sept. 10, 1895, . . . . .	36 60
No. 37. Wm. M. Clevenger, . . . . .	Sept. 10, 1895, . . . . .	15 00
No. 38. James L. Tooker, Jr., . . . . .	Sept. 10, 1895, . . . . .	8 77
No. 39. James L. Tooker, Jr., . . . . .	Sept. 10, 1895, . . . . .	8 09
No. 41. William J. Kraft, . . . . .	Oct. 8, 1895, . . . . .	15 00
No. 42. William H. Younge, . . . . .	Oct. 8, 1895, . . . . .	3 00
No. 43. William Fisher, . . . . .	Oct. 8, 1895, . . . . .	8 50
No. 44. George W. Pertain, . . . . .	Oct. 8, 1895, . . . . .	6 50
No. 45. Roebuck & Moynahan, . . . . .	Oct. 8, 1895, . . . . .	25 50
No. 46. Charles A. Shriner, . . . . .	Oct. 8, 1895, . . . . .	60 45
No. 47. Ford D. Smith, . . . . .	Oct. 8, 1895, . . . . .	10 00
No. 48. Eugene Emley, . . . . .	Oct. 8, 1895, . . . . .	109 19
No. 49. American Net and Twine Co., . . . . .	Oct 8, 1895, . . . . .	102 60
No. 50. C. Post, . . . . .	Oct. 8, 1895, . . . . .	62 00
No. 51. F. R. Casterlin, . . . . .	Oct. 9, 1895, . . . . .	30 00
No. 52. Jacob Neighmond, . . . . .	Oct. 9, 1895, . . . . .	20 00
No. 53. Roebuck & Moynahan, . . . . .	Nov. 12, 1895, . . . . .	26 76
No. 54. John L. Swayze, . . . . .	Nov. 12, 1895, . . . . .	30 00
No. 55. Riker & Riker, . . . . .	Nov. 12, 1895, . . . . .	20 00
No. 56. Charles A. Shriner, . . . . .	Nov. 12, 1895, . . . . .	23 20
No. 57. George W. Dunham, . . . . .	Nov. 12, 1895, . . . . .	59 25
No. 58. James L. Tooker, Jr., . . . . .	Nov. 12, 1895, . . . . .	30 50
No. 59. Thomas Britt, . . . . .	Nov. 12, 1895, . . . . .	6 86
No. 60. Thomas Britt, . . . . .	Nov. 12, 1895, . . . . .	6 76
No. 61. H. P. Frothingham, . . . . .	Nov. 12, 1895, . . . . .	68 24
		3,594 67
Balance, . . . . .		\$2,218 67

# FISH AND GAME COMMISSIONERS' REPORT. 33

JERSEY CITY, N. J., November 1st, 1895.

*The Board of Fish and Game Commissioners*

*In Account with WILLIAM S. HANCOCK, Esq., Comptroller, &c.*

Bills approved by the Board of Fish and Game Commissioners, under an act entitled "A Further Supplement to an act entitled 'An act for the appointment of commissioners for the better protection of the fishing interests of the State of New Jersey,'" approved March 17th, 1870, which supplement was approved May 15th, 1894 (Section 3).

Bill sent to the Comptroller from December 1st, 1894, to March 22d, 1895 :

A. C. Hulsizer, services as Warden of Hunterdon county, from October 31st, 1893, to December 11th, 1893, . . . . .	\$28 75
Jacob B. Hendershott, Sussex county, . . . . .	18 30
Jacob B. Hendershott, Sussex county, . . . . .	56 00
John J. Mooney, Morris county, . . . . .	9 00
John J. Mooney, Morris county, . . . . .	10 15
Henry Fahrenbach, Jr., Mercer county, . . . . .	60 00
Henry Fahrenbach, Jr., Mercer county, . . . . .	87 00
James Hunt, Camden county, . . . . .	46 00
James Hunt, Camden county, . . . . .	43 50
William Guthridge, Camden county, . . . . .	46 00
William Guthridge, Camden county, . . . . .	43 50
Gus Hilton, Cape May county, . . . . .	57 00
John F. L. Green, Cumberland county, . . . . .	34 50
John F. L. Green, Cumberland county, . . . . .	25 00
Clinton D. Smith, Mercer county, . . . . .	51 00
Clinton D. Smith, Mercer county, . . . . .	39 00
A. Wright Post, Somerset county, . . . . .	34 00
Abraham Terhune, Bergen county, . . . . .	69 00
Cornelius L. Honeyman, Somerset county, . . . . .	18 50
Cornelius L. Honeyman, Somerset county, . . . . .	37 60
Harry Bare, Cumberland county, . . . . .	32 50
Harry Bare, Cumberland county, . . . . .	48 50
John E. Loveland, Ocean county, . . . . .	17 60
John E. Loveland, Ocean county, . . . . .	20 00
George W. Naylor, Hunterdon county, . . . . .	74 06
George W. Naylor, Hunterdon county, . . . . .	53 44
George W. DeWitt, Warren county, . . . . .	114 63
George W. DeWitt, Warren county, . . . . .	77 21
George E. Burton, Jr., Ocean county, . . . . .	34 00
George Ricardo, Bergen county, . . . . .	132 95
David Riley, Union county, . . . . .	24 00
John R. Riley, Essex county, . . . . .	60 75
Edward Hill, Warren county, . . . . .	140 00
Edward Hill, Warren county, . . . . .	153 50
Charles B. Platt, Gloucester county, . . . . .	30 00
James F. Edge, Monmouth county, . . . . .	16 50

## 34 FISH AND GAME COMMISSIONERS' REPORT.

Roebuck & Moynahan, stenographers, . . . . .	\$18 34
C. G. Burgoyne, printers, &c., . . . . .	10 00
D. D. Zabriskie, professional services, &c., . . . . .	10 00
L. C. Hulsizer, late Fish and Game Warden of Hunterdon county, . . . . .	28 75
Dover Printing Company, . . . . .	45 00
Thomas Meskill, Morris county, . . . . .	68 90
Thomas Meskill, Morris county, . . . . .	33 00
Gus Hilton, Cape May county, . . . . .	81 00
George E. Burton, Ocean county, . . . . .	26 50
Charles A. Shriner, Passaic county, . . . . .	45 52
Charles A. Shriner, Passaic county, . . . . .	15 60
George W. DeWitt, Warden of Warren county, . . . . .	109 50
Charles A. Schriner, Warden of Passaic county, . . . . .	27 00
Harry Dare, Warden of Cumberland county, . . . . .	42 50
George W. Naylor, Warden of Hunterdon county, . . . . .	45 76
George Ricardo, Warden of Bergen county, . . . . .	32 50
Henry Schneider, Warden of Atlantic county, . . . . .	56 15
Henry Schneider, Warden of Atlantic county, . . . . .	65 50
Henry Schneider, Warden of Atlantic county, . . . . .	56 31
Edward Johnson, Warden of Atlantic county, . . . . .	56 15
Edward Johnson, Warden of Atlantic county, . . . . .	65 50
William H. Ingram, Warden of Sussex county, . . . . .	25 50
William H. Ingram, Warden of Sussex county, . . . . .	24 00
William H. Ingram, Warden of Sussex county, . . . . .	38 00
William B. Kinney, Warden of Monmouth county, . . . . .	20 00
Clinton Smith, Warden of Mercer county, . . . . .	51 35
William Guthridge, Warden of Camden county, . . . . .	45 00
James Hunt, Camden county, . . . . .	45 00
Samuel E. Perry, . . . . .	25 00
Holdron Hewitt, . . . . .	63 00
Zebulon S. York, . . . . .	36 00
Roebuck & Moynahan, Stenographers, . . . . .	78 29
John F. L. Green, Warden of Cumberland Co., . . . . .	35 00
J. R. Riley, Essex County, . . . . .	73 35
Benjamin E. Denston Gloucester, . . . . .	45 00
Charles B. Platt, Gloucester, . . . . .	33 00
Cornelius L. Honeyman, Somerset, . . . . .	22 75
George E. Burton, Ocean, . . . . .	15 00
John E. Loveland, Ocean, . . . . .	25 00
David Riley, Union, . . . . .	21 00
David Riley, Union, . . . . .	18 25
James F. Edge, Monmouth, . . . . .	18 00
Henry Fahrenbach, Jr., Mecser, . . . . .	24 00
Bill of William B. Carpenter, for services on the Musconetcong, . . . . .	4 00
Bill of George Brand, services on the Musconetcong, . . . . .	28 00
Bill of Broadwick, . . . . .	18 00
Bill of George W. Pertain, stationery, &c, . . . . .	22 00
Roebuck & Moynahan, Stenographers, . . . . .	70 74
John R. Riley, of Essex county, . . . . .	114 70
Lemuel W. Griffin, Hudson county, . . . . .	27 00

FISH AND GAME COMMISSIONERS' REPORT. 35

J. T. Green, Cumberland county, . . . . .	\$15 00
Clinton D. Smith, Mercer county, . . . . .	33 00
Henry Schneider, Atlantic county, . . . . .	35 55
Charles F. Honeyman, Somerset county, . . . . .	5 50
Henry Dare, Cumberland county, . . . . .	15 75
Gus Hilton, Cape May county, . . . . .	63 00
Roebuck & Moynahan, stenographers, . . . . .	32 74
Clinton Smith, Warden of Mercer county, . . . . .	42 00
James Hunt, Warden of Camden county, . . . . .	42 24
William Guthridge, Warden of Camden county, . . . . .	42 24
John E. Loveland, Warden of Ocean county, . . . . .	15 35
Harry Dare, Warden of Cumberland county, . . . . .	25 00
Eugene Emley, counsel, &c., . . . . .	83 90
John Swayze, counsel, &c, . . . . .	60 26
John R. Riley, Warden of Essex county, . . . . .	87 00
John R. Riley, Warden of Essex county, . . . . .	27 50
Lemuel W. Griffin, Warden of Hudson county, . . . . .	36 00
Lemuel W. Griffin, Warden of Hudson county, . . . . .	42 00
George W. DeWitt, Warden of Warren county, . . . . .	59 84
George Brands, Assistant to Warden DeWitt, . . . . .	28 00
Clinton Smith, Warden of Mercer county, . . . . .	51 00
C. L. Honeyman, Warden of Somerset county, . . . . .	16 90
B. F. Denston, Warden of Gloucester county, . . . . .	12 00
Charles A. Shriner, Warden of Passaic county, . . . . .	29 75
Roebuck & Moynahan, stenographers, . . . . .	36 15
Riker & Riker, counselors-at-law, . . . . .	15 00
Harry Dare, Warden of Cumberland county, . . . . .	29 25
William Guthridge, Warden of Camden county, . . . . .	35 89
James Hunt, Warden of Camden county, . . . . .	35 89
Edward Hill, Warden of Warren county, . . . . .	57 25
Clinton Smith, Warden of Mercer county, . . . . .	36 00
John F. L. Green, Warden of Cumberland county, . . . . .	35 00
Edward Hill, Warden of Warren county, . . . . .	71 70
Edward Hill, Warden of Warren county, . . . . .	89 20
John E. Loveland, Warden of Ocean county, . . . . .	9 00
Louis H. Barrett, Warden of Atlantic county, . . . . .	60 75
Levi French, Warden of Burlington county, . . . . .	13 35
George Ricardo, Warden of Bergen county, . . . . .	18 95
Abram Terhune, Warden of Bergen county, . . . . .	47 50
Henry Schneider, Warden Atlantic county, . . . . .	25 18
Samuel E. Perry, counselor-at-law, . . . . .	25 00
William Lawrence, Warden of Salem county, . . . . .	102 00
John Temple, lawyer, . . . . .	10 00
Bills of Thomas Meskill—	
December, . . . . .	71 95
January, . . . . .	37 80
February, . . . . .	34 70
March, . . . . .	57 61

\$6,206 49

36 FISH AND GAME COMMISSIONERS' REPORT.

Amounts drawn by Wardens for expenses up to November 1st, 1895, under act approved March 21st, 1895 :

Henry Schneider, . . . . .	\$118 30
Lewis H. Barrett, . . . . .	142 40
William G. Wise, . . . . .	198 18
George Ricardo, . . . . .	46 35
William Guthridge, . . . . .	176 10
James Hunt, . . . . .	175 25
Harry R. Dare, . . . . .	153 30
Edwin M. Lore, . . . . .	75 50
Augustus Hilton, . . . . .	95 40
John R. Riley, . . . . .	187 30
Benjamin F. Denston, . . . . .	121 37
Charles B. Platt, . . . . .	136 35
George W. Dunham, . . . . .	171 70
Robert Richards (less \$4.90 paid to Warren Meskill), . . . . .	52 15
James Huston, Jr. (less \$12.75 paid to Warden Smith), . . . . .	98 75
James L. Tooker, Jr., . . . . .	139 63
Clayton Robbins, . . . . .	123 95
George E. Burton, Jr., . . . . .	61 75
Charles A. Shriner, . . . . .	267 53
Jacob B. Hendershott, . . . . .	114 15
Samuel H. Callahan, . . . . .	72 85
Joseph A. Robbins, . . . . .	98 00
George H. Stone, . . . . .	82 62
Thomas Britt, . . . . .	87 95
Edward Hill, . . . . .	196 74
	\$3,193 57

JERSEY CITY, November 1st, 1895.

*The Board of Fish and Game Commissioners*

*In Account with HON. WILLIAM S. HANCOCK, Comptroller.*

Salaries paid to Wardens under the act approved March 21st, 1895 :

June 4th, 1895, . . . . .	\$1,100 00
July 9th, 1895, . . . . .	1,150 00
August 6th, 1895, . . . . .	1,100 00
September 10th, 1895, . . . . .	1,200 00
October 8th, 1895, . . . . .	1,200 00
	\$5,750 00