

# ANNUAL REPORT

OF THE

## Board of Fish and Game Commissioners

FOR THE

Year Ending October 31,

1910

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TRENTON, N. J.  
MACCRELLISH & QUIGLEY, STATE PRINTERS.

1910

ANNUAL REPORT  
OF THE  
Board of Fish and Game

## List of Fish and Game Commissioners

Holding Office at the Date of this Report.

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B. C. KUSER, *President*, .....TRENTON, N. J.  
WILLIAM A. LOGUE, *Treasurer*, .....BRIDGETON, N. J.  
PERCIVAL CHRYSTIE, .....HIGH BRIDGE, N. J.  
ERNEST NAPIER, .....EAST ORANGE, N. J.

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WALTER H. FELL, *Secretary*.

OFFICE OF THE BOARD, STATE HOUSE, TRENTON, N. J.

## Letter of Transmittal.

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*To His Excellency John Franklin Fort, Governor,  
and to the Members of the Senate and General  
Assembly of the State of New Jersey:*

As required by law, we submit herewith the  
annual report of the doings of the Board of Fish  
and Game Commissioners for the year ending  
October 31st, 1910.

Very respectfully,

B. C. KUSER,

WM. A. LOGUE,

PERCIVAL CHRYSTIE,

ERNEST NAPIER,

*Commissioners.*

Letter of Transmittal

To the Honorable, Comptroller of the Treasury,  
and to the Honorable, Secretary of the State and General  
Auditor of the State of New Jersey,  
I have the honor to acknowledge the receipt of the  
annual report of the Board of the Board of the  
and the Commission for the year ending  
1911.

Very respectfully,  
R. C. KUSHN

W. J. FORD

PHILIP W. CHRISTIAN

BERNARD V. JAMES

Commissioner

## REPORT.

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In a review of the year's work of the Board of Fish and Game Commissioners it is apparent that in the enforcement of the laws and in stocking the State with fish and birds the results have excelled those of former years. We believe that this opinion is shared by not only those intimately acquainted with the Board's administration, but by the public generally interested in the protection of fish and game. The revenues of the Board have increased, which have permitted an efficiency never before attainable, and we believe that a substantial start has been made which in a short time will yield enormous dividends to the State in a marked multiplication of its fish and game and in the protection of all insectivorous birds, whose value, first to the farmer and then to the purchaser of the products of the farm in the city, is of benefit almost beyond calculation. It has been demonstrated that adequate protection for fish and game results in an asset equalling important agricultural and industrial conditions. Through the wisdom of progressive fish and game laws New Jersey can take a front rank among the states in the preservation and development of the great natural resources of its land, rivers, bays and ocean.

With the second year of the Resident License Law about to end, the success hitherto reported continues, and the system has so added to its friends that all opposition of moment has been practically eliminated. The law is now clearly understood, and from every section come reports of its worth as a general protective measure, and as a long-needed regulation of gunners. It has provided means for a suitable and generous stocking of the State, and a better police protection of our game interests, all of which for many years has been the desire of farmers, city dwellers and hunters. These facts are made all the more interesting when it is remembered that the benefits are brought about without a

penny of cost to the citizen who does not hunt, and that the resident hunters' license fees, together with the menhaden and other licenses, are making the Board self-supporting. The amount received during the year from resident licenses was \$57,731.50.

The non-resident fees for the year were \$5,990, as against \$5,460 for the year previous, an increase of \$530.

The fees for unnaturalized, foreign-born licenses for the year were \$560, as against \$600 for the year previous, a decrease of \$40.

The fees for licenses to take menhaden aggregate the largest ever received, being \$6,375, against \$3,075 last year. There were thirty-five steamers and twenty-five sailing vessels licensed.

A large part of this increase is the result of the purchase by the Board in June, under authority granted by the State House Commission, of a new launch, the "New Jersey," at a cost of \$6,500, which was practically a new boat in excellent repair, and which cost \$16,000 to build. The old boat, "Protector," was not fast enough nor sufficiently seaworthy for the needs of ocean navigation. The "Protector" is retained for auxiliary service in the Delaware and the more shallow waters. The first day the "New Jersey" was in commission three steamers and two sailing vessels, which had never before been licensed, were overhauled and their owners took out licenses. It is probable that these could not have been secured with the old boat. Those who have been tempted to fish for food-fish within the three mile limit with purse nets, or take menhaden without a license, have taken a warning by the work they know the "New Jersey" is doing, and in most cases they have been eager to take out licenses. The hand-line fishermen are particularly pleased with our added equipment for patrolling the State's coast line.

Under the menhaden law there were several prosecutions. In five cases the penalties netted \$1,000.00, which amount was turned over to the State Treasurer for the use of the State, the Commission not being entitled to these fines.

The launch "Protector" was thoroughly overhauled in February and March before going into commission for the year, the work being done by Wardens Mathis and Rider and an assistant, thus saving the expense and delay which would be required in sending the launch to a private shipyard.

In November, 1909, after a closed period of ten years, a season for deer was opened, when on every Wednesday in November shooting for bucks only was allowed. Every precaution possible was taken through the aid of wardens, deputies and constables to prevent the illegal taking of deer before and during the season, and there were several convictions along this line. It was found that the deer with which the State had been stocked had largely multiplied. From the best information obtainable, it was learned that eighty-six bucks had been taken. No person in the woods was mistaken for a deer and injured or killed, which was due to the provision that only bucks may be taken, which compelled the hunter to make sure of the nature of the object at which he shot.

We desire to call your attention to the fact that after careful examination the Commission find that all salt-water fish, such as perch and striped bass, are very greatly reduced in numbers. Our famous Spanish mackerel and sheepshead of former days are things of the past and have become extinct practically. Unless most vigorous measures are taken to protect perch and striped bass, particularly in the spring of the year when they enter our bays and rivers to spawn, they also will be completely exterminated.

The total number of fish distributed during the year was 117,694, divided as follows:

Brook trout, 82,200 four-inch and 16,050 six-inch; a total of 98,250.

Black bass, 4,636; white and yellow perch, 3,709; crappie, 550; pickerel, 249; catfish, 300; bait fish, 10,000.

Fishing in the fresh water lakes for bass, pickerel and crappie showed an improvement over former years, and the results are, no doubt, due to the judicious stocking and protection of the same. Striped bass fishing in the Delaware river, from Camden to Bordentown, was good. This welcome news is attributed to the effects of the uniform concurrent act for the Delaware river between this State and Pennsylvania, which prohibits the use of haul seines in this stream for nine months in the year. In spite of very low water and then swollen streams, conditions not favorable for trout fishing, the catches of trout compared favorably with former years as to number and the size of the fish.

The brook trout were bought after public advertising for 75,000. The Board at the close of the year took steps to secure 100,000 trout for delivery in 1910 and 1911.

A committee has been authorized to purchase 5,000 brown trout. In 1908 a few of these were bought as an experiment, which proved to be highly successful.

The liberation of birds was the greatest in the history of the State, the total number being 5,650, representing 3,893 imported English pheasants and 1,757 imported Hungarian partridges. The birds were bought after public advertising for the same.

From information from wardens, farmers and sportsmen in all parts of the State it would appear that the pheasants have done exceedingly well in every county. They remained near the place of liberation and hatched broods from nine to twelve. There are reports of forty coveys seen in Cumberland county and twelve in Union county, and satisfactory returns from other counties.

The reports as to the Hungarian partridges are not so favorable. In some places they disappeared entirely. Fifteen coveys of nine to fifteen in each were seen in Cumberland county, five in Ocean county, six in Cape May county, and a few in Warren, Bergen, Morris, Mercer and Middlesex counties.

A few dozen European quail were bought for the purpose of stocking, but the reports show that they failed to breed and soon disappeared.

During the winter of 1909 and 1910 there was some extremely cold weather, with crusted snow, which it was feared would kill a great many quail and pheasants in some parts of the State. Each warden was instructed to make every possible effort to locate and feed the birds with unthreshed grain, if it could be secured, and the reports received showed that many coveys were cared for. Farmers and sportsmen generally assisted in this work.

Quail remain scarce in the northern counties, but there has been a notable increase in the southern part of the State, where the reports indicate more quail than for ten years past. Buckwheat seed, amounting to 11,900 pounds, was distributed through the wardens to farmers who agreed to sow the seed and let it stand as food for quail. It is believed by this means a substantial food supply for quail may be created. Farmers now raise little

or no buckwheat, and many attribute the decrease of quail in north Jersey to their failure to get enough food.

The catch of shad in the Delaware river and bay during the year, by residents of this State, realized \$302,957.60. This does not include any part of the catch made by residents of Pennsylvania and Delaware. With a view of indicating the importance of the industry to the State certain statistics were gathered for the first time by the Board's Protector, James M. Stratton, which will be found below. As gill nets are prohibited above Trenton Falls, the fishing in Hunterdon county is confined to hauling seines, and no account was taken of the fisheries in Warren, Sussex and Cape May counties where the catch is too small to be classed with the other counties.

The figures given represent only those actually engaged in catching fish for market, to which hundreds might be added who are employed in many ways, some on the steamers which carry the shad to the wholesale markets in Philadelphia, others on the lay boats which are anchored on the river opposite each fishery, to which the shad are taken to be shipped to market, or purchased by a representative of the wholesale dealer stationed on these boats. Cooks are also employed by some of the fishermen, and several thousand shad are caught each season in small nets of which no record is made.

The fish caught early in the season sold for seventy-five cents and one dollar each. Later thirty cents was about the price realized. A fair average for the catch would be about \$40.00 per hundred.

<i>County.</i>	<i>Boats and Nets.</i>	<i>Men Engaged.</i>	<i>Shad Caught.</i>
Salem, .....	203	406	387,000
Cumberland, .....	137	274	197,000
Gloucester, .....	57	120	79,000
Burlington, .....	58	116	31,380
Camden, .....	56	112	23,514
Mercer, .....	20 gill nets		
	9 hauling seines	90	27,400
Hunterdon, .....	8 hauling seines	45	12,100
	<hr/>	<hr/>	<hr/>
	548	1163	757,394
Average price, .....			.40
			<hr/>
Total, .....			\$302,957.60

This is an increase over the past two or three years both in number of fish caught and price realized. The increase in price does not necessarily mean that the shad cost the consumer more. The fish caught this year were much larger than in former years, the average being about six pounds, but many weighed nine to eleven pounds, and if sold by the pound they would be less expensive than other fish.

In following the shad fishing industry on the Delaware river and bay in the counties of Salem, Cumberland and Gloucester, the men have large boats in which are installed gasoline engines of the latest type, capable of carrying in all kinds of weather the 750 fathoms, or nearly one mile, of gill net which they use every tide. This means about 397 miles of nets used in these three counties by New Jersey fishermen. The cost of an entire outfit is about \$700. Farther up the river, in Camden, Burlington and Mercer counties, small row boats and fifty or sixty fathoms of net, costing from \$50 to \$75 dollars, complete the outfit.

During the year there were 178 prosecutions, resulting in 166 convictions and 12 acquittals. Twenty cases were appealed. Fifteen defendants were committed to the county jails for periods of ten to ninety days for non-payment of fines, and in six cases sentence was suspended on payment of costs. Of the twenty cases appealed to the higher courts, ten were tried, and in each case the judgment below was sustained.

Over fifty bills affecting the fish and game interests were introduced in the Legislature, but only six became laws, which in brief follow:

Providing for a season for water fowl on the Delaware river and bay between September 1st and March 1st.

Providing an open season for black and mallard ducks from November 1st to March 1st; providing a close season for wood ducks until April 1st, 1915; providing an open season for all other ducks and swan, except black mallard, wood and shell-drake, from November 1st to March 15th; providing an open season for geese, brant, and shelldrake, from November 1st to April 10th.

Prohibiting the use of ferrets in hunting rabbits.

Regulating the fishing in Mullica river and tributaries.

An act for the protection of the wild or passenger pigeon.

Including squirrels among the game which may not be taken on a tracking snow.

This year the number of game laws printed was increased from 20,000 to 30,000 owing to the demand for the same. The usual number of cards in English, Hungarian and Italian were printed, together with large charts in English.

In May a special meeting of the Board was held for the purpose of a conference with the wardens in order to promote the efficiency of the service. Twenty-one wardens were present. The conference was of undoubted benefit both to the commissioners and the wardens.

Charles E. Brewster, a game law expert of the Bureau of Biological Survey, United States Department of Agriculture, of Washington, D. C., was employed to make a report on the fish and game conditions in the State, the laws on that subject, and such suggestions as his personal investigation showed desirable. To this end he spent some time on the launch "New Jersey." His report was not received during the fiscal year, but it is now in the hands of the Commissioners. It will be published in pamphlet form and will soon be ready for distribution.

Honorable Edmund Wilson, the Attorney-General, as our legal adviser, has greatly assisted in the work of the Board.

We would recommend new laws providing as follows:

Fixing a bag limit for game birds to be taken in any one day as follows:

Quail, not to exceed 10.

English pheasant, not to exceed 3.

Hungarian partridge, not to exceed 3.

Woodcock, not to exceed 10.

Ruffed grouse, not to exceed 3.

Reed birds, not to exceed 50.

Rail birds, not to exceed 25.

Ducks, not to exceed 20.

Geese, not to exceed 10.

Brant, not to exceed 10.

Shore birds, not to exceed 25.

Protecting upland plover for five years.

Fixing the season for shore birds from June 1st to January 1st.

To have one law for State, and fixing an open season from November 1st to December 15th for quail, partridge, grouse, English or ring-neck pheasant, Hungarian partridge, wild turkey, prairie chicken, woodcock, squirrel and rabbits.

Also putting water fowl in the same law, November 1st to February 1st.

Providing for one or more game farms.

Providing that all wild State land shall be game refuges.

Prohibiting the use of silencers on guns of any kind.

Prohibiting the sale of all protected game, including water fowl, or the export of the same from the State all the year, excepting in the case of non-resident licensees.

Amending Section 24, Act of 1903, by striking out the provision contained therein in reference to dogs and deer.

Fixing the salary of the wardens at \$75 per month, and the salary of the protector at \$1,800 per annum, and providing for an assistant protector at \$1,200 per annum.

Permitting battery shooting on Tuesdays and Fridays, the owner of each battery paying a license fee of \$10 each year, from January 1st to December 31st.

Prohibiting the use of any gun over ten gauge under penalty of \$100.

Fixing the cost of non-resident license at five dollars to residents of states where the non-resident license is five dollars.

The Audubon Law. Providing that no person shall kill or catch or have in his or her possession, living or dead, any wild bird other than a game bird, or purchase, offer or expose for sale any such wild bird after it has been killed or caught, and no part of the plumage, skin or body of such wild birds that are protected by law and not game birds, shall be sold or had in possession for sale.

Fixing a bag limit of twenty-five a day on trout.

Prohibiting the taking of blue fish under twelve inches in length.

Providing that striped bass shall be regarded as game fish, and for a period of five years shall be taken only with hook and line.

Providing a license of \$200 for each fish pound.

Prohibiting any pound within three miles of any inlet on the ocean front, or in inlets.

Prohibiting the use of hauling seines in Raritan or Sandy Hook bays.

Fixing the season for crappie, calico bass, black bass, pike, white and yellow perch, white bass and pickerel from June 15th to November 30th, in fresh waters, and for white perch in salt waters.

Abolish netting fish under ice in salt waters.

Stop all netting in salt waters during May and June, excepting fykes.

Providing for a fish hatchery for trout, black bass, etc.

Providing that fines in fish and game cases shall be paid to the Fish and Game Commission for the use of the Commission.

Amending the penalty section in the Barnegat bay law.

Making the illegal taking of menhaden a misdemeanor.

Providing for a rod license in fresh waters for non-residents.

### Financial Statement.

#### INCOME.

Balance Nov. 1, 1909, State Game Protection Fund and Fish Basket Fines, .....	\$463.56
Balance Nov. 1, 1909, Resident License Fund, .....	9,404.05
Appropriation, State funds, including refund, .....	34,068.08
Resident License Fund, .....	57,731.50
State Game Protection Fund (Alien Licenses), .....	560.00
Receipts, Act of 1908:	
Resident License Fines, .....	\$270.00
Non-Resident Licenses, .....	5,990.00
Menhaden Licenses, .....	6,375.00
Sundries, .....	14.50
	12,649.50
	\$114,876.69
Less Balance Lapsed, Appropriations, State Funds, ...	\$ 2,070.88
" " " Receipts, Act of 1908, .....	4,443.32
	6,514.20
	\$108,362.49

#### EXPENDITURES.

Paid from Appropriations, State Funds, .....	\$31,997.20
" " Receipts, Act of 1908, .....	8,206.18
" " Resident License Fund, .....	27,105.61
" " State Game Protection Fund and Fish Basket Fines, .....	52.90
To Balance, .....	41,000.60
	\$108,362.49

Fines collected for use of State not in above and no part of receipts of the Commission, ..... \$3,180.00

List of Fish and Game Wardens Holding Commissions at  
the Date of this Report.

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Stratton, James M., Protector, .....	North Long Branch.
Avis, John H., .....	Woodbury.
Brinley, Alexander, .....	Lanoka.
Conner, Fred. S., .....	Bridgeton.
Cudney, Harry E., .....	Dunfield.
Davis, Edward R., .....	Salem.
Folker, Charles W., .....	Camden.
Hall, Fred. J., .....	Bloomfield.
Hendershott, John B., .....	Newton.
Hoblitzell, William, .....	Rahway.
Knight, S. R., .....	Spring Lake.
Loder, William B., .....	Egg Harbor City.
Loveless, Harry M., .....	Trenton.
Mathis, Howard, .....	New Gretna.
Morton, Charles C., .....	Mount Holly.
Park, John J., .....	White House Station.
Phifer, George W., .....	Ormond.
Reeves, Stephen, .....	West Cape May.
Rider, Anson J., .....	Tuckerton.
Shorter, Edward, .....	Bloomfield.
Smith, Mahlon, .....	Lake Hopatcong.
Steuerwald, Charles, .....	South Amboy.
Varian, Ward, .....	Demarest.

