

ANNUAL REPORT

LIST OF FISH AND GAME COMMISSIONERS
Holding Office at the date of this Report

OF THE

Board of Fish and Game Commissioners

LIST OF FISH AND GAME WARDENS HOLDING COMMISSIONS
at the Date of this Report

FOR THE

Year Ending October 31st,

1914.

UNION HILL, N. J.
DISPATCH PRINTING COMPANY

1915.

LIST OF FISH AND GAME COMMISSIONERS
Holding Office at the date of this Report

ERNEST NAPIER, *President*,East Orange, N. J.
 WILLIAM A. LOGUE, *Treasurer*,Bridgeton, N. J.
 WILLIAM A. FAUNCE,Atlantic City, N. J.
 BERNARD M. SHANLEY, JR.,Newark, N. J.

WALTER H. FELL, *Secretary*.
 Office of the Board, State House, Trenton, N. J.

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

STRATTON, JAMES M., *Protector*,North Long Branch
 MATHIS, HOWARD, *Assistant Protector*,New Gretna
 AVIS, JOHN H.Woodbury
 BURTIS, ELVIN C.,Asbury Park
 CONNER, FRED S.,Bridgeton
 CUDNEY, HARRY E.,Washington
 DAVIS EDWARD R.,Salem
 EVERNHAM, JAMES H.,Bayville
 FOLKER CHARLES W.,Camden
 HALL, FRED J.,Bloomfield
 HILLIARD, PHINEAS K.,Manahawkin
 HOBLITZELL, WILLIAM,Rahway
 KLEIN, WILLIAM C.,Passaic
 LODER, WILLIAM B.,Egg Harbor City
 LOVELESS, HARRY M.,Trenton
 MORTON, CHARLES C.,Mount Holly
 PARK, JOHN J.,White House Station
 PHIFER, GEORGE W.,Ormond
 RIDER, ANSON J.,Tuckerton
 ROE, JACOB D.,Newton
 SMALL, OTIS C.,Hammononton
 SMALL, WILLIAM HENRY,Englewood
 STEEL, WILLIAM,Cape May Court House
 STEUERWALD, CHARLES,South Amboy
 WELSH, CHARLES E.,East Millstone
 WHITE, HARRY W. D.,Pennsville
 YOUNG, WILLIAM E.,Chester

Letter of Transmittal.

*To His Excellency, James F. Fielder, Governor, and
to the Members of the Senate and General As-
sembly of the State of New Jersey:*

As required by law, we submit herewith the annual report of the work of the Board of Fish and Game Commissioners for the year ending October 31st, 1914.

Very respectfully,

ERNEST NAPIER,
WM. A. LOGUE,
W. A. FAUNCE,
B. M. SHANLEY, JR.,
Commissioners.

Report.

There is much to show that New Jersey is now rapidly taking a leading place among the states of the Union in the great movement of protection and propagation of fish and game. In the past few years wise and careful legislation, which was the result of a close study of our conditions by those qualified to advise in this respect, paved the way for this progress. The animal kingdom within our territory had suffered from a ruthless war of extermination, which was increasing with intensity year after year. Powerful interests and blind and selfish citizens, it seemed, had conspired to take the last fish and the last bird. The Board, viewing our vanishing wild life, could not remain neutral, and we have given our best efforts for the good of the cause, heedless of protests and counter attacks.

We believe that with the present resident hunting license system, in effect since 1909, which has been extended to provide for angling licenses, to take effect January 1st, 1915; with our Fish Hatchery and Game Farm in successful operation, and both doing a wonderful work in replenishing our lakes and streams and fields and woods; with our launches, the "New Jersey" and "Adelaide," patrolling the greater waters of the State, and our small boats

searching the inland streams; with the alert, intelligent and effective service of our wardens, whose efficiency is vastly increased by the operation of nine motorcycles, and with the Board's policy of endeavoring to keep in direct touch with the hunters and fishermen, a work of immediate and lasting benefit is being accomplished for the people of the State.

HUNTING AND FISHING LICENSE LAW.—One of the most important laws ever enacted in behalf of fish and game was the act of April 9, 1914, referred to above, providing for the issuance of a license to hunt with firearms and to angle for fish in the fresh waters of the State. During the year, the Board, in accordance with the act provided for a supply of the necessary license blanks for the enforcement of the law. A summary briefly explaining the act as to the kinds of licenses and as to persons to be licensed follows:

SUMMARY OF NEW LICENSE LAW.

In effect January 1st, 1915. Applies only to fresh waters as to fishing. All licenses to be obtained from any county or municipal clerk or salaried fish and game warden.

Residents' Hunting and Fishing License.

(a) Resident males and females above the age of fourteen (who must be citizens of the United States, who actually and bona fide reside in this State at the time of application for a license and who have actually and bona fide resided in this State for one year immediately prior thereto) must secure a "Residents' Hunting and Fishing License" in order to hunt with firearms any protected or unprotected wild bird, animal or fowl, which license also entitles the holder to fish.

(b) Resident males above the age of fourteen, who are citizens of the United States and who have the above resident qualifications, must secure a "Residents' Hunting and Fishing License" in order to fish for any fish in the fresh waters of the State by the method commonly known as angling, which license also entitles the holder to hunt.

(c) The "Residents' Hunting and Fishing License" entitling the legal holder thereof to hunt and fish shall cost \$1.15.

No license to fish is required of:

- (1) Resident females.
- (2) Males under fourteen years.

No hunting license shall be issued to any person under fourteen years. Persons under this age are therefore prohibited from hunting unless they come within the exceptions noted below.

Nonresidents' and Aliens' Hunting and Fishing License.

(d) Nonresident and alien males and females above the age of fourteen must secure a "Nonresidents' and Aliens' Hunting and Fishing License" in order to hunt any protected or unprotected wild bird, animal or fowl, which license also entitles the holder to fish.

(e) With regard to nonresidents and aliens who desire to fish only see (g), (h) and (i) below.

(f) The "Nonresidents' and Aliens' Hunting and Fishing License" entitling the legal holder thereof to hunt and fish shall cost \$10.15.

No hunting license shall be issued to any person under fourteen years. Persons under this age are therefore prohibited from hunting, unless they come within the exceptions noted below.

Nonresidents' and Aliens' Fishing License.

(g) Nonresident and alien males above the age of fourteen, who desire to fish only and who have not taken out a "Nonresidents' and Aliens' Hunting and Fishing

License," must secure a "Nonresidents' and Aliens' Fishing License" in order to fish for any fish in the fresh waters by the method commonly known as angling.

(h) The "Nonresidents' and Aliens' Fishing License" entitling the legal holder thereof to fish shall cost \$2.15. This license does not entitle the holder to hunt.

(i) No license to fish is required of:

- (1) Nonresident and alien females.
- (2) Nonresident and alien males under fourteen years.

Exceptions

Exceptions: "Nothing in this act contained shall prevent the occupant of any farm in this State, who actually resides thereon, or the immediate members of the family of such occupant who also reside on said farm, from hunting for, taking, killing or pursuing with a gun or firearm, on said farm, any wild bird, animal or fowl, or from taking fish on said farm with hand-line, or rod and line, in the manner provided by law at any time when it is lawful so to do, without being licensed hereunder; provided, however, that the exemption contained in the foregoing provision shall not apply to any person residing on said farm or in any tenant house thereon who is not a member of the family of such occupant, nor to any servant of such occupant."

This act is the last word in the effort being made to conserve the fish and game of the State. This latest expression of the Legislature resolves itself into a simple proposition, consistent with the necessity for the measure, providing a method for a revenue to maintain the fish and game supply in our State, and it does not contrast strangely with the first protective game law enacted for this territory 235 years ago, when the General Assembly passed an act prohibiting the export of deer skins from deer killed by Indians. Twenty states now require a fee for some sort of hook and line fishing in fresh waters. In 1911 Mr. Charles E. Brewster, Game Law Expert, Bureau of Biological Survey, Department of Agriculture, in a report on fishing and hunting conditions in this State said:

"The depletion of fish in the inland waters of the State is a source of regret, and immediate steps should be taken looking to their repletion by the establishment of a State hatchery for the propagation of such game fish as are suitable for the lakes and streams. Brook trout, rainbow trout, pike, perch, crappies, etc., can be satisfactorily hatched, while ponds properly constructed for keeping black bass during their spawning season will insure a supply of fry for planting each year."

The State now has a Hatchery in operation. The question now before a fisherman is a practical one. Is he satisfied to take a whole day off to fish depleted streams and return home with an empty basket, or to purchase a \$1 license (which license will also entitle him to hunt) and take a half-day off with fair prospects of catching some of the millions of fish which have been planted or are yet to be planted? In the first instance, he becomes disgusted with a noble recreation and sport, and perhaps will not again seek out the streams and ponds until another year; but if he succeeds, as he should, landing a nice mess of fish, he has in one afternoon more than been repaid for his expenditure, and ever afterwards the call of the waters must prove as alluring as in days of old.

The time has past when mere protective measures will provide for an increase in our fish and game, and the accepted policy in

order to keep up a supply is to provide for a substantial stocking of our waters and woods and fields.

It is the idea of the Board to provide for the maintenance of the Hatchery and Game Farm from the fees to be received from the licenses, so that not a penny of expense, when they are fully established, will be borne by any one except the fishermen and hunters.

HATCHERY.—Charles O. Hayford, Superintendent of the Hatchery, in submitting the second annual report of the work accomplished at the Hatchery, says:

While the big blizzard of March first last did not damage any of our buildings, it greatly set us back in our fish culture work, and caused we believe in particular the loss of our yearling land locked salmon that were doing finely until we received the wash from the whole surrounding country. It kept the ponds so roily we could not see the fish for four weeks, let alone feeding them. We had no other ponds empty to transfer them to. The roads were so bad we could not plant them, and the result was we lost 60,000.

| | Raised from Nov. 1, 1913, to Oct. 31, 1914. | Planted from Nov. 1, 1913, to Oct. 31, 1914. | Estimated No. on hand Nov. 1, 1914. |
|---|---|--|---|
| 2 years' rainbow trout, 10 to 18 in. long..... | 6,700 | 5,500 | 1,200 |
| Yearling rainbow trout, 7 to 12 in. long..... | 116,200 | 96,200 | 20,000 |
| Yearling brook trout, 7 to 10 in. long..... | 226,200 | 225,200 | 1,000 |
| Yearling brown trout, 12 in. long..... | 3,000 | | 3,000 |
| Yearling land-locked salmon, 5 to 7 in. long..... | 48,400 | 48,400 | |
| Fingerling brook trout, 2 to 7 in. long..... | 608,300 | 548,300 | 60,000 |
| Fingerling land-locked salmon, 2 to 6 in. long..... | 100,000 | 50,000 | 50,000 |
| Fingerling rainbow trout, 4 to 7 in. long..... | 515,000 | 15,000 | 500,000 |
| Yellow perch..... | 6,003,000 | 6,000,000 | 3,000 |
| Crappie..... | 120 | 100 | 20 |
| Sunfish..... | 250 | 200 | 50 |
| Catfish..... | 150 | ... | 150 |
| Large-mouthed bass..... | 250 | ... | 250 |
| | 7,627,570 | 6,988,900 | 638,670 |

During the year considerable was accomplished in completing the Hatchery, and there were finished or practically finished the following: The erection of the Assistant Superintendent's cottage, lodge house, grinding house, pools, nursery hatchery, grading, roads, fence, etc.

John H. Titcomb, former Commissioner, United States Bureau of Fisheries, and now Commissioner of Fisheries and Game for the State of Vermont, after visiting the Hatchery in October, wrote:

"You certainly have the largest trout hatchery I have ever seen, and together with it a splendid water supply. Such an institution cannot help but be a tremendous help to the State in making its waters more productive. With the trout produced there and the bass which you will be able to produce when the ponds are completed, you will have, I believe,

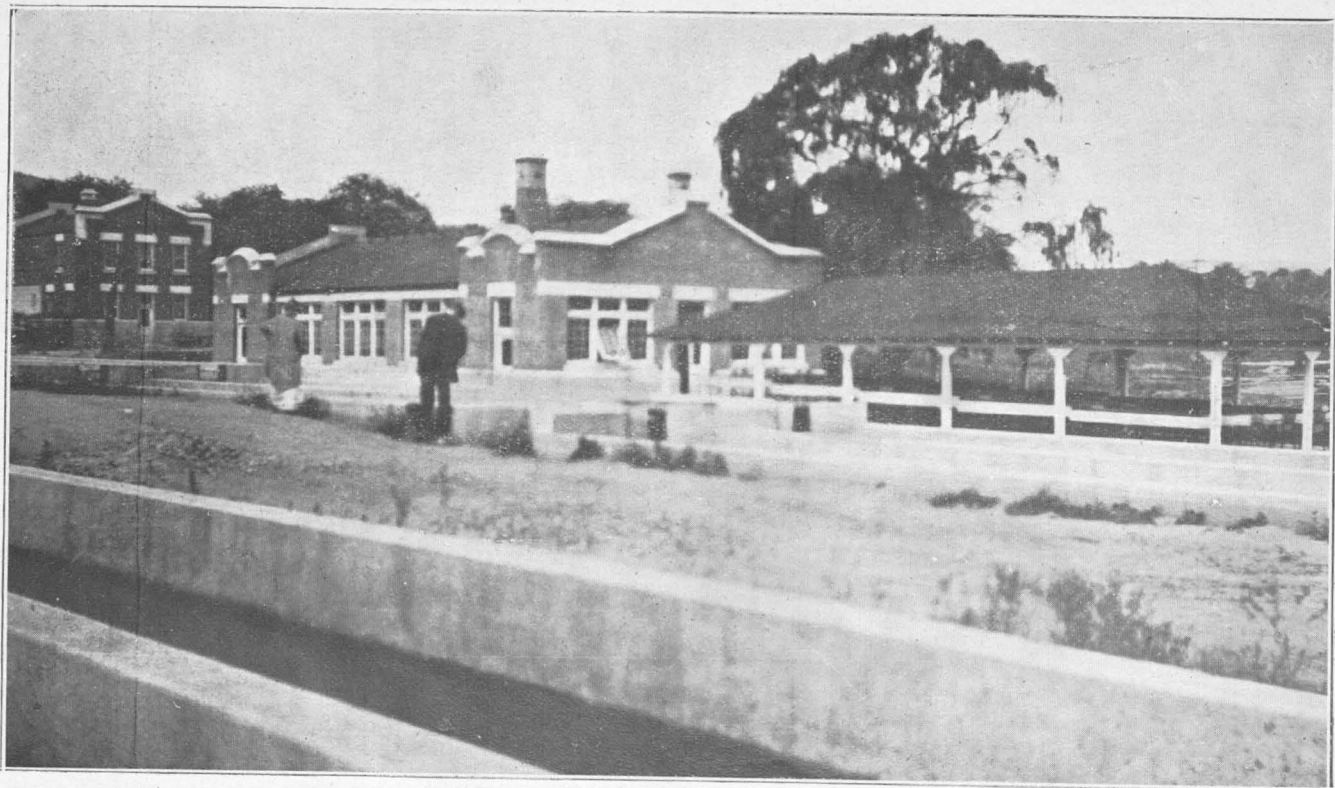
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FEED GRINDING AND ICE HOUSE, HATCHERY BUILDING AND NURSERY SHED
AT STATE HATCHERY.

the largest fish cultural station in the country, and I have seen a great many of them in various parts of the United States. I wish you the success which you deserve in this great enterprise."

George H. Graham, of the Commissioners of Fisheries and Game of Massachusetts, after a visit to the Hatchery, wrote:

"I can readily see that when you decided to build this great hatchery you took into consideration everything that goes to make a success of raising fish. First, the water supply which is the best; and a large quantity. Second, topography of the land, so you could expand to the utmost. Third, shipping facilities. This, together with a man as superintendent who thoroughly understands his business, gives you a combination that spells success. Your present equipment for raising brook trout, rainbow trout and salmon is simply perfect, and your water supply is used to its fullest extent, and you will be able to raise all the trout and salmon you will ever need to stock New Jersey waters.

"While you have at the present time one of the largest hatcheries in the country, I can see that you have only begun to develop your plant. With your water supply you will be able to hatch millions of pike and perch to be planted in many of the shallow lakes, ponds and rivers in your State, and then use the waters in ponds for rearing small mouth black bass. I believe that in the near future that you will be turning out these fish in large numbers.

"A hatchery where all of this work can be done under one superintendent, and the plant kept busy all the year around, instead of only for a few months, means economy in production, and you are fully justified in a large outlay to begin with.

"I wish that every sportsman in New Jersey could have the pleasure of going to see what you have done; they would enjoy it as much as I did. I know what this means, because here in Massachusetts we are building two large hatcheries; we have been all over the country to consult with fish culturists and look at modern hatcheries. I have no hesitation in saying that you now have at Hackettstown the best trout hatchery that I have seen, and when you have the plant fully developed you will have the largest hatchery in the country. I want to compliment you on the way your plant is being run and the way it is kept up."

It has taken some little time for the people to become acquainted with the work which the Board has under way in the establishment of the Hatchery. It may be not out of place here to quote the following from the Newark Evening News of October 23d:

"The State fish hatchery is already considered one of the best in the country. Although the first consignment of fish eggs was received there December 10th, 1912, and the work on the hatchery is not yet half completed, millions of trout have been put out, millions of yellow perch have been planted in the rivers and lakes and in the near future millions of bass, catfish and crappie bass will be turned loose.

"There has been an idea that the hatchery was established practically for the few thousand trout fishermen who whip the streams in the spring time, and that it will be of no material benefit to the people at large; but this is not a fact. Every barefooted boy with his sapling and piece of cord; every workingman who snatches a few hours of fishing as much for the food as for the sport, and every sportsman whose pleasure lies in attempting to lure the members of the finny tribe from their watery

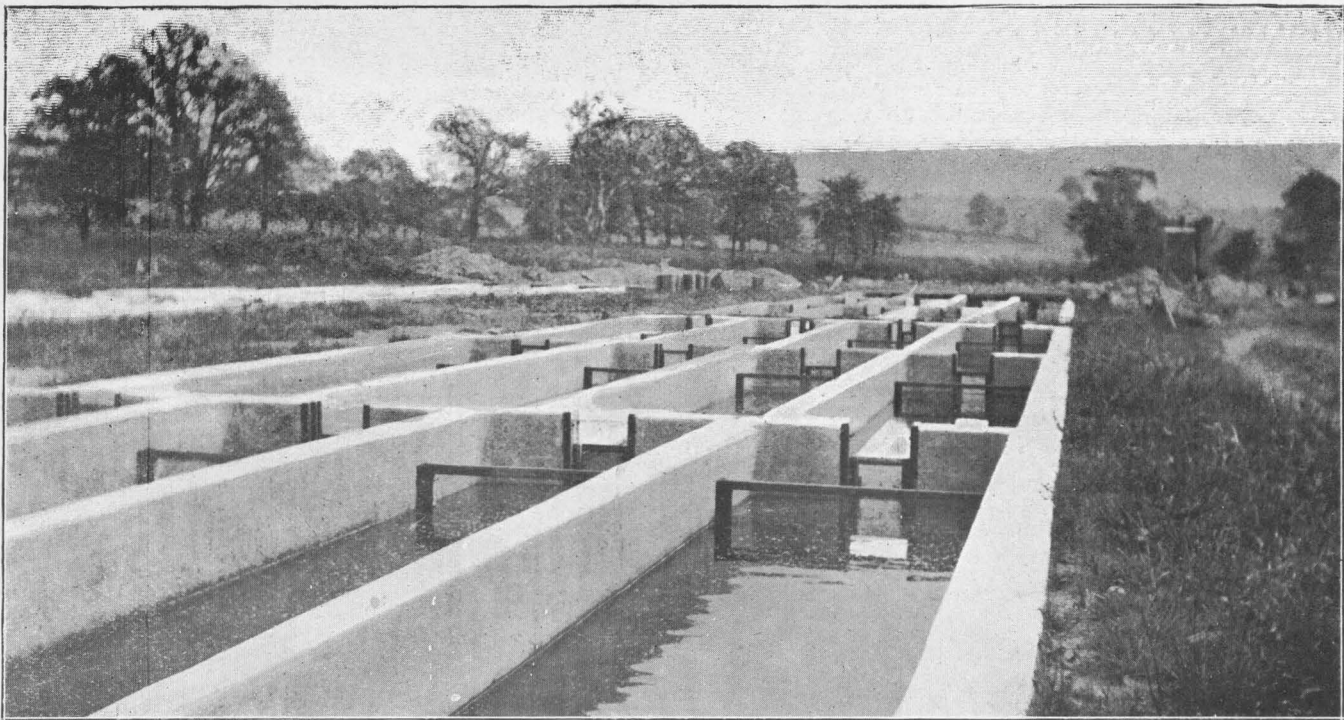
haunts, can take heart, for the work so far accomplished at the hatchery and the plans for the future give promise that in a few years New Jersey fresh water will be as good fishing grounds as fifty years ago."

It should be added that it is the desire of the Board to reach the average man who cannot afford long and expensive trips, and to provide for him not alone sport, but a fine food supply for his family.

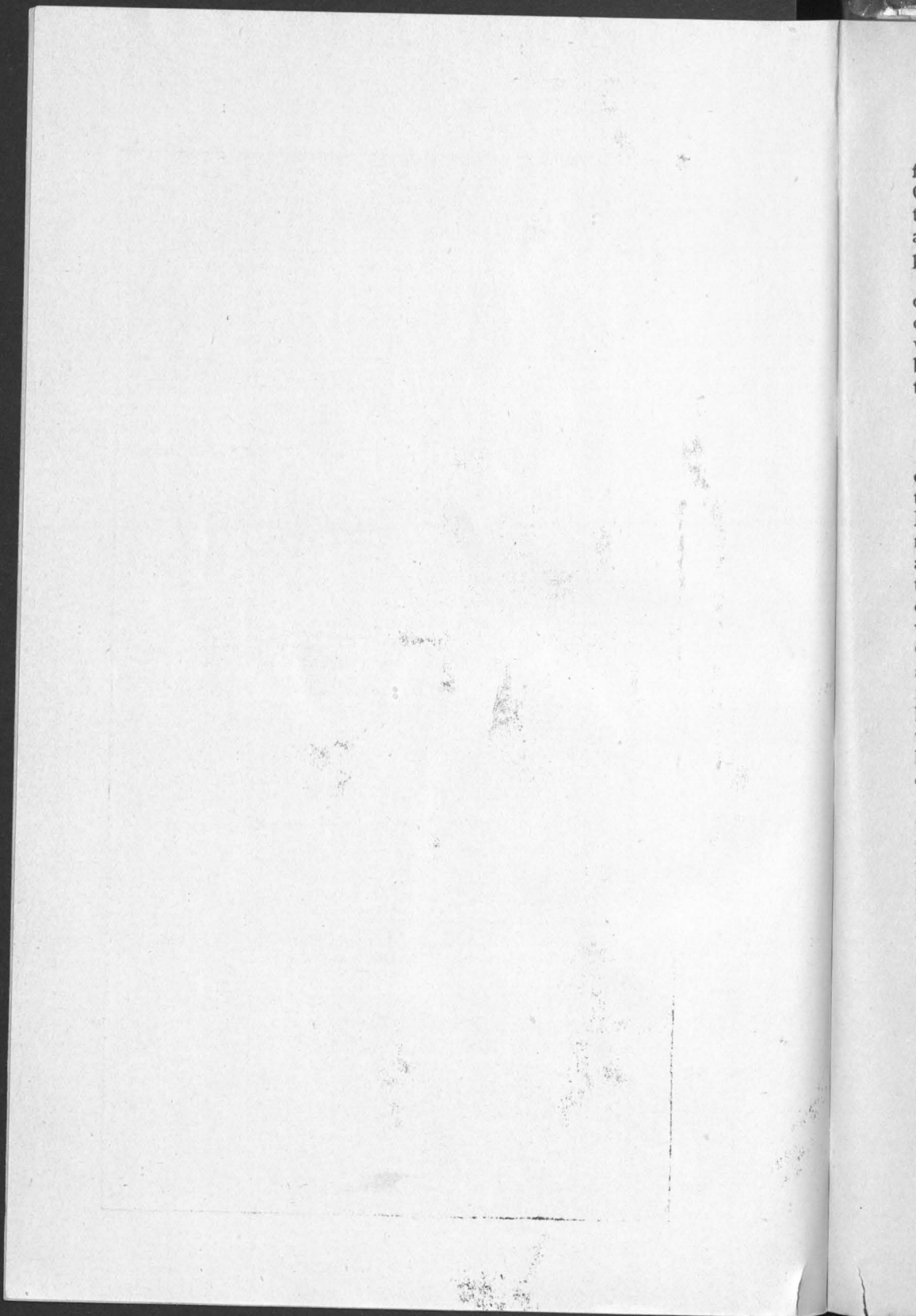
In April the Board commenced the shipments of fish in carload lots for stocking, the first consignment being for South Jersey. The initial shipment consisted of 1,500 rainbow trout, weighing from a pound to two and a half each, and was distributed in Hammonton Lake near Hammonton, and Batsto Lake, about eight miles from Hammonton. This was the first distribution of rainbow trout ever made in the State of New Jersey. These fish were raised at the State Fish Hatchery at Hackettstown, and were about eighteen months old. The rainbow trout is regarded as one of the best game fishes, its habits being like that of the brook trout, but the rainbow trout grows much larger and thrives well in lakes. The 1,500 were contained in 75 cans similar to the ordinary ash can, and three large tanks, each tank having the capacity of ten ash cans, and all occupied an entire baggage car. The shipment of the car from Hackettstown to South Jersey involved considerable detail, but the transportation was successfully effected, and with the loss of only three fish.

The car was loaded on the Delaware and Lackawanna Railroad Company's tracks at the Hatchery. Early in the evening the cans and tanks were put in the car, and then were filled with water. A supply of ice was also put in the car, and the temperature of the water in the cans was reduced to a degree corresponding with that in the pools from which the fish were to be taken. At midnight the men commenced taking the fish from the Hatchery to the car. It required all night to get the shipment ready. By special arrangements, the D. L. & W. R. R. stopped a train at Hackettstown at 5 A. M., took the car to Phillipsburg, where it was transferred to the C. R. R. of N. J., leaving Phillipsburg 6:55 A. M., arriving at Jersey City 9:14 A. M., and by arrangement with the C. R. R. of N. J. and the Atlantic City R. R. Co., the car was attached to the Atlantic City express and put on the siding at the point of destination about 1 P. M., where trucks were waiting. The fish were in the lakes in less than one hour after arrival.

President Ernest Napier and Protector James M. Stratton superintended the shipment. At the Hatchery the fish were loaded under the direction of Superintendent Hayford, assisted by Wardens Park, Cudney and Young, who went through with the fish and were kept busy aerating and icing the water in the cans containing the



ONE SECTION OF CONCRETE POOLS AT HATCHERY.



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fish. The distribution of the fish was made under the direction of Commissioner W. A. Faunce, of Atlantic City, and Assistant Protector Mathis and Warden Otis C. Small. At Hammonton, the automobile truck, owned by the Commission, and wagons transported the fish to the lakes.

A most interesting feature of the shipment of this large number of fish was the interest taken in it by the railroad companies concerned, who assisted the Commission in every way possible, and without whose co-operation the transfer of the fish could not have been made within the time in which it was. Other shipments of the same number to other waters in South Jersey were provided for.

DELAWARE AND RARITAN CANAL.

As usual the Board secured a large supply of black bass, pickerel, perch, etc., for stocking of ponds from the Delaware and Raritan canal. Suspension of navigation in the canal was fixed for December 20th, but owing to the warm weather boats were permitted to navigate until the 27th. We commenced work on January 5th, which was continued until the 28th. During this time, there were distributed in lakes in the southern and middle sections of the State, 3,120 black bass, 1,050 crappie, 50 pickerel, 1,950 white and yellow perch, and 5,500 bait fish. In former years, the Commission has secured fish from the canal by paying to the person netting them 8c. each for bass, pickerel and crappie; 4c. for perch and 1c. for bait fish. At this price the fish obtained would have cost \$470.60. By having the netting done under the supervision of Warden Welsh and Captain Tallman, with men employed by the day, the fish cost less than \$300, not including the expense of transportation to the lakes.

SOME LOCAL STOCKING.—Wardens Young, Cudney and Park netted a slank, which is formed by the overflow of the Passaic river, near Morris county, and obtained 5,000 small pike and pickerel, which they put in Lake Hopatcong. The fish were from three to four inches in length, and as the pool was becoming dry the fish would have died had they not been removed.

There were planted in the lakes in Camden county 650 adult yellow perch. Of this number 325 were taken by Warden Conner with nets in the Cohansey river near Bridgeton, and a like number taken by fishermen with nets in Big Timber Creek at Gloucester.

In September the Jersey City and Boonton reservoirs were netted under the supervision of the Board, and as the result the following distribution was made: Branch Brook Park Lake, Newark, 675 shiners, sunfish and perch; 26 catfish, 16 bass. Pompton Lakes, 1,309 shiners, sunfish and perch; 45 bass and pickerel. Newton Lake,

Camden county, and Smithville Lake, Burlington, 2,318 shiners, sunfish and perch; 107 bass.

Warden Young obtained a large number of pickerel, perch, sunfish and shiners by netting Brown's Pond, a private lake, located near Newfoundland, when the lake was drawn off. The warden says there was no accurate count made of the fish, but he estimates that 75,000 were placed in Green Pond, which was the nearest body of water.

In October the overflow near Callahan's ice house, at Lake Hopatcong was netted by Warden Young, and 600 small pickerel and bass, and 2,000 catfish were transferred to the lake. The place from which the fish were taken was going dry, and the fish would have died if they had not been removed.

Warden Morton netted a reservoir in Burlington county, which was drained for the purpose of making a cranberry bog, securing 130 pickerel, 200 sunfish and 3,000 catfish, which were planted in Rancocas creek between Smithville and Mount Holly.

In October under the supervision of Warden Hall some bass, perch, shiners and sunfish were netted in Boonton reservoir and planted in Estling Lake and Cranberry Lake.

NEED OF A FISH CAR.—The United States Bureau of Fisheries conducts 40 main fish cultural stations and 90 auxiliary stations located in 35 different States, where nearly 40 species of food and game fish are propagated. The benefits which resulted from the United States stations were quickly noted by the various States, and many of the States are now provided with from one to a half dozen or more hatcheries owned and operated by the State. In addition to State hatcheries, a few States own and operate fish transportation cars, among them being Kansas, Michigan and Wisconsin, and such cars are operated by the United States Government. It is only a question of a short time when a fish car will be needed in New Jersey. The dullest easily recognizes the delicate nature of the work of transporting live fish. It is necessary that the least possible time should elapse from the taking of the fish from the pools at the Hatchery to their planting in the ponds and streams of the State. We are now transporting our fish within short distances from the Hatchery by means of our automobile truck, but are compelled to depend upon train service for transportation to remote points.

UNITED STATES GOVERNMENT STOCKING.—In the fall of 1913 applications were forwarded to the United States Bureau of Fisheries for fish to be planted in all the principal lakes in this State. In April, 28 cans of yellow perch fry were received by our wardens, and the fry planted in the lakes to which they were consigned. Each can was said to contain 250,000 fry, making the total

of the shipment 7,000,000. The perch were distributed in the following lakes:

Weston Lake, 500,000; Jamesburg Lake, 500,000; Topenomez Lake, 1,000,000; Hammonton Lake, 500,000; Bargaintown Lake, 500,000; Lenape Lake, 500,000; Bloodgoods Lake, 250,000; Rock-away River, 250,000; Wequahic Lake, 500,000; Clementon Lake, 500,000; Grenlock Lake, 500,000; Mitchell's Lake, 500,000; Sewell Lake, 500,000; Mountain Lake, 500,000.

In May 2,500,000 pike perch or wall-eyed pike were received from the Government and distributed as follows: Greenwood Lake, 500,000; Green Pond, 500,000; Lake Hopatcong, 500,000; Budds Lake, 500,000; Union Lake, 500,000.

In August we received from the United States Bureau of Fisheries 3,900 large mouth black bass, for which application had previously been made. The fish were about 2" in length and were distributed as follows:

Fish Hatchery, 400; Wequahic Lake, 500; Tumbling Dam, 500; Swartswood Lake, 500; Pompton Lake, 500; Lenape Lake, 500; Carnegie Lake, 500; Split Rock Lake, 500.

In September we received 1,000 large mouth black bass from three to four inches in length, which were placed in Lake Hopatcong. In addition to the above there were received 2,000 blue gill sunfish, and 1,050 crappie, which were planted in Lake Hopatcong.

LOBSTERS.—In our last report we referred to the planting of 200,000 fry and 200 adult lobsters in the spring of 1913 by the United States Government, in the Atlantic Ocean at Cape May county. United States Fish Commissioner H. M. Smith notified President Napier last July that his Bureau in a continuation of its efforts to increase the lobster supply on the New Jersey coast had forwarded from the Boothbay Station 100 male and 100 female adult lobsters, which reached Cape May in good condition and were planted off that point in the vicinity of the jetties. Commissioner Smith added that it is the Bureau's intention to continue making annual shipments of lobsters for deposit off Cape May until some tangible results are secured.

Our New Jersey wardens paid considerable attention during the year to the lobster fishermen in Sandy Hook Bay and Atlantic Ocean, and carefully inspected the catches at the landing places at Atlantic Highlands, Sea Bright and Galilee, and visited several hotels and restaurants to see that the lobster law was observed. There were several convictions of violators, who had in their possession short lobsters.

SUMMARY OF STOCKING.—A summary of the total stocking of waters from all sources follows:

FISH AND GAME COMMISSIONERS.

| | From State Hatchery. | From U. S. Government. | From Delaware & Ra Item Canal, Reservoir, Reservoir, U. S. Reservoir, and Other Private Waters. |
|-----------------------------|----------------------|------------------------|---|
| Lobsters | | 200 | |
| Rainbow trout..... | 116,700 | | |
| Brook trout..... | 773,500 | | |
| Brown trout..... | | | |
| Land-locked salmon..... | 98,400 | | |
| White and yellow perch..... | | | 10,242 |
| Yellow perch..... | 6,000,000 | 7,000,000 | |
| Pike perch..... | | 2,500,000 | |
| Crappie..... | 100 | 1,050 | 5,900 |
| Sunfish..... | 200 | 2,000 | |
| Bait fish..... | | | 10,002 |
| Catfish..... | | | 5,026 |
| Picketel..... | | | 5,548 |
| Large-mouthed bass..... | | 4,900 | 3,628 |
| | 6,988,900 | 9,508,150 | 40,346 |

RECAPITULATION.

| | |
|----------------------------|------------|
| From State Hatchery..... | 6,988,900 |
| From U. S. Government..... | 9,508,150 |
| Other sources..... | 40,346 |
| Grand Total..... | 16,537,396 |

SHAD FISHING.—The shad fishing in the Delaware river and bay was not as good as usual, but in the lower part of the Delaware and in the upper bay the fishermen, while they did not take as many fish as in former years, realized high prices, which resulted in the season being a fairly good one. The fishermen in the upper Delaware river did not have much success in making large catches.

GAME FARM.—Construction work at the State Game Farm at Forked River, aside from building extensive storage pens, has been practically completed, and we are looking forward to great results from the Farm. A large number of citizens have availed themselves of the opportunity of inspecting the Farm, and we as yet have failed to hear of any criticism as to its plan or to its operation, by those competent to judge. Numerous persons have inspected the Farm only to say that in its scope and management it exceeded their highest expectations.

Superintendent Duncan Dunn in his report of the record of the year's work calls attention to the damage done by the blizzard of March. This blizzard was of unusual severity, and it blew down a large number of pens, and pens were broken down by the weight of the snow. Not only were the pens destroyed, but their destruction permitted the escape of a large number of pheasants, which were being kept over for distribution in the early spring.

There were 5,000 pheasants raised and 3,500 liberated. The experiment of raising quail was continued with marked success and 500 were raised and 450 liberated. There were also raised 40 wild

turkeys, and 200 wild mallard ducks. The deer have done well, quite a number of young fawns having been seen. The rabbits did not increase as well as usual, which was due, undoubtedly, to the long dry spell of weather, depriving them of the necessary supply of green food.

It required about two months to rebuild the pens which had been broken down by the blizzard.

Some of the principal items showing operations at the Farm follow:

Cleared up 18 acres of new land of brush, roots and trees; plowed and seeded it to grass. Sowed 20 acres of oats and 10 acres of wheat, harvested 20 loads of same and 15 loads of hay. Hauled 75 loads of gravel three miles for main drive, rolled and took care of same. Repainted all the buildings and fences on Farm. Hauled 30 loads of logs from woods to mill, which were made up into 2 x 4's for bird pens and planking for barn floor and horse stables. Built a new garage for truck, 24 x 16 feet; a large storage house, 50 x 20 feet; and 100 bird coops and 20 hatching boxes. Plowed and sowed two acres of buckwheat and two acres for millet for birds. Plowed up and limed bird pens and seeded them down to grass. Cleared out two large ponds for deer, occupying four weeks' time. Dug trench of 2,000 feet long to the depth of three feet; laid two inch pipe in which to carry water to bird pens; also laid 300 feet of tile drains from stables. Two weeks' work repairing ice house; cut and hauled 42 loads of ice.

FARM VISITORS.—Among the visitors at the State Game Farm were J. Quincy Ward, Fish and Game Commissioner of Kentucky; Charles E. Brewster, Game Law Expert, Washington, Department of Agriculture; Dr. Joseph Kalbfus, Game Commissioner, Harrisburg, and many others, who expressed themselves as highly pleased with what they saw. After his visit to the Farm, Mr. Brewster wrote to President Napier as follows:

"During my visit to the State game farm, at Forked River, I saw so many evidences indicating success along lines of heretofore such doubtful practicability that I have decided to write a report of the matter addressed to the chief in this matter, in order that the information obtained there may be filed for future reference in the office records of the bureau."

We desire to acknowledge the great assistance which the Department of Charities and Corrections has been to this Board in the past two years in the matter of preparing plans, specifications, etc., for the erection of our buildings at the State Game Farm at Forked River, and the State Fish Hatchery at Hackettstown. Commissioner Joseph P. Byers and Mr. George S. Drew, his assistant, at all times were ready to assist us. Charles A. Meyer, who has acted as Engineer for the Board in some of our construction and supervision

work at both the Game Farm and Hatchery, also rendered us valuable service.

POUND NET FISHERIES.—A compilation of the reports submitted pursuant to the fish pound net act for the waters of the Atlantic Ocean, Sandy Hook and Raritan Bay, said act being approved April 2, 1912, for the year ending December 31, 1913, showed the following:

| | | |
|--|--------------|-----|
| Approximate value of all pounds..... | \$406,320.55 | |
| Proceeds derived from the sale of fish..... | \$687,008.86 | |
| Number of pounds of fish caught and disposed of..... | 31,891,469 | |
| Licenses issued: | | |
| Atlantic Ocean | 89 | 140 |
| Sandy Hook and Raritan Bay..... | 51 | 133 |
| | — | |
| Total number of pounds operated..... | | |

POLLUTIONS.—A few cases of pollution of streams have been brought to our attention, and, following custom, most of these were referred to the State Board of Health, which Board has laws which reach further than the fish and game laws against pollutions, and we have found that in every instance where pollutions have been reported they were matters also pertaining to the work of the Board of Health. The State Board has effectively handled these cases.

This Board made a thorough investigation of the reported pollution of Wageraw Lake by the Granite Linen Company, it being charged that a number of fish in the lake had been killed from blue vitriol, which had been put in the lake for the purpose of killing algae, which plant makes water unsuitable for household purposes. The manager of the company admitted placing the vitriol in the water, but said he had no intention of killing any fish. This case was originally instituted by Warden John C. Reinbold, who died before the case could be tried. It appeared that Mr. Reinbold had only one witness, a boy of 14 years, but who had no knowledge of the exact material placed in the water. The United States Government recommends the placing of vitriol in the waters for the killing of algae, but, of course, not in quantities sufficient to kill fish. Inasmuch as the company in writing promised to restock the lake with fish in accordance with the directions of the Board, the case was not prosecuted.

Complaints regarding the pollution of the Delaware river were fully investigated by this Board, in connection with representatives of the State Board of Health. It appears that the Attorney General's office does not regard it advisable to bring prosecutions at the present time in these cases until the case of the State vs. the city of Phillipsburg is finally decided by the Court of Errors and Appeals. In this case the Chancery Court has rendered a decision favorable to the State, and this decision should act as a warning to all persons or corporations polluting this stream.

FEDERAL MIGRATORY GAME LAW.—There is absolutely no doubt but that the regulations for the control of migratory birds adopted by the United States Government have, in the short time in which they have been in effect, greatly improved such supply. The importance of this statement is emphasized when we consider that all well informed sportsmen and scientists have for many years past viewed with greatest alarm the enormous decrease of migratory game. The Government officials, it must be remembered, have on their hands a tremendous task in this new matter of Government regulation. We in New Jersey know the conflicting interests in our efforts to establish useful game laws, so as to secure uniformity which makes for the enforcement of the laws. A similar situation confronts the Federal authorities with the extended territory involved, lying between the oceans and from the gulf to the lakes. The system was established in response to a well defined demand for the Government to step in and give scientific protection to game where states through which the game passed did not afford such protection. The system of Federal protection is still in its infancy and too much cannot be expected at once. With an increased appropriation the Federal authorities expect to do more this year than last. They are collecting considerable evidence against violators, and they report that when they move their prosecutions will be successful. D. C. Speenburg, the United States Inspector for this district, has been in direct touch with our wardens and those special wardens who have been authorized by the United States Government to make arrests for violations.

NOTABLE INCREASE IN DUCKS.—The following report from Warden Fred J. Hall, speaks for itself as to the increase of ducks in the northern part of the State, which was undoubtedly due to the Federal regulations:

"I have the honor to report to you that in patrolling the Troy meadows in Morris county, just across the Essex county line, I found several hundred wild ducks of various varieties, and it appears to me that they intend to remain there during the breeding season.

"This has always been a fair hunting ground for ducks, but for several years they have not remained there for breeding, as the spring shooting would drive them further north; but now, since the federal law is in effect, there are hundreds of ducks where formerly there were fifty, and I firmly believe that this law was enacted just in time to save our wild water fowl from extermination. I found a wood duck's nest along the public highway containing sixteen eggs. The older inhabitants in this section are amazed and marvel at the large number of ducks in the vicinity."

A most gratifying report of an increase in water fowl was also made in a communication to this office from W. S. Dickeson, 261 E. Broadway, Salem, N. J., who is thoroughly capable to judge in-

telligently the comparative number of ducks seen, and who allows very few days in each year to pass without actually visiting the marshes. The same condition is reported from all over Salem county, in fact from all parts of the State, which more than justifies the Federal law prohibiting spring shooting.

CHANGE NEEDED IN UNITED STATES SEASONS.—At the writing of this report the Federal law has been in effect about 13 months. The question of constitutionality is still raised in some quarters, but pending the final decision on this point the Government insists upon its enforcement, and hunters who are cautious as to their own welfare will do well to observe its provisions to the very letter. As in the case of most all new legislation there are some conditions which do not appear to be fairly met by the regulations in their present shape, and many of these are now under consideration for amendment by the National authorities. This Board has been ready at all times to lend its help for the enforcement of the law, and we have fully notified hunters of its regulations affecting seasons which had been fixed by the State.

When the Federal regulations were first promulgated, a close season the year round was fixed for the reed bird, the bob-o-link or rice bird. This year, however, the regulations were amended so as to permit the shooting of this bird during September and October. One of the desirable changes which this Board believes necessary is to permit the shooting of shore birds in this State commencing August 15th. The regulation now affecting shore birds delays the opening of the season until September first, at which time it is fairly agreed by hunters that a large part of the shore birds have taken their flight for the year.

Last March President Napier attended a conference in New York City at the office of the American Game Protective Association, at which there were present commissioners of New York, Massachusetts, Connecticut, and also a number of gunners from Long Island. It was the opinion of the conference that if the Federal law was ever to become fully effective it must have the fullest cooperation of the various States, and that the State laws must agree exactly with the Federal regulations, otherwise it was feared that the excellent work intended to be accomplished by the Government would be greatly hampered if not nullified.

RECEIPTS.—The amount received by the State Treasurer during the year on account of resident licenses was \$65,825.05, against \$64,902.10 last year, showing an increase of \$922.95.

The aggregate of fines imposed upon violators this year amounted to \$17,629.30, as against \$9,756.33 last year, showing an increase of \$7,872.97. This is the largest amount ever collected on account of fines.

For licenses to steamers and sailing vessels to take menhaden with purse nets within the three-mile limit of our coast, there was received \$9,850, as against \$7,250 last year. At the date of this report there are 44 steamers and 30 sailing vessels holding licenses to take menhaden. At the same time last year there were 46 steamers and 26 sailing vessels so licensed. The fees for steamers range from \$100 to \$200, according to tonnage, while the flat fee for sailing vessels is \$25.

The fees for unnaturalized foreign-born resident licenses during the year amounted to \$700, as against \$530 for the previous year.

The receipts for non-resident licenses were \$4,350, as against \$5,670, for the previous year.

In accordance with the law requiring a license for all fish pounds, in Atlantic ocean and Sandy Hook and Raritan bay, we issued 95 licenses for the Atlantic ocean from Cape May to Sandy Hook, and 49 licenses for Sandy Hook and Raritan bay. The total amount received for these licenses was \$5,240, as against \$4,710, for the previous year.

Under the law requiring all persons who desire to raise certain game birds or animals for sale to take out licenses, the number issued was 38. The sum realized from these licenses was \$190. The fee for these licenses under the act approved March 27, 1913, is \$5.

PATROLLING THE WATERS.—In March the "New Jersey" and "Adelaide" were overhauled and put in readiness for service. The principal work on the Delaware river was to see that no nets were in the river or bay from Saturday at 2 P. M. to Sunday at midnight; to see that the sturgeon fishermen used a net not less than 13" mesh; in the lower part of the bay in Cape May county to see that fishermen from Anglesea, Atlantic City and other places did not violate the law providing for 50 fathom gill nets with mesh not less than $2\frac{3}{4}$ ", and one net to each boat; to inspect the pounds in the Atlantic ocean and Raritan and Sandy Hook bays; and to see that steamers taking menhaden with a purse net within the three-mile limit in the Atlantic ocean were properly licensed.

When the weather was not suitable for ocean work the "New Jersey" was anchored in inland waters, and the wardens used the small boat to patrol Mullica river, Egg Harbor river and the bays and tributaries in Burlington, Ocean and Atlantic counties, to apprehend any persons that might shoot duck illegally, shoot snipe or mudhen without licenses, or in any other manner might violate the law.

The portion of the Delaware river from Gloucester to Trenton was patrolled by Wardens Morton, Folker and Loveless in small boats. Warden Steel's bank skiff was sent to the Delaware river and was used by Wardens White and Davis.

The State boat, "Protector," was turned over to the Inland Water Ways Commission for their use, agreeable to a request made by the State House Commission. Our Board had little or no use for the "Protector," which was not as suitable for our uses as our recently acquired and more modern vessels.

PROSECUTIONS FOR THE YEAR.—During the fiscal year ending October 31, there were 576 prosecutions; 554 convictions; 19 acquittals; and three violators, for whom warrants were issued, left the State.

Thirty-five defendants were committed to the county jails for periods of from 10 to 90 days in default of payment of fines. The cases appealed to the Common Pleas court numbered 26. In seven cases, where the circumstances seemed to require, sentence was suspended on payment of costs. One boy was sent to the reform school and one was paroled by the juvenile court. Twenty-eight hunters' licenses were revoked.

The number of prosecutions the past year is 50 in excess of any other year in the history of the fish and game commission. The highest number ever before recorded was for the year ending October 31st, 1913, when 526 arrests were made.

PUBLICATIONS.—During the year the Board distributed the following: 15,000 fish and game laws, contained in a pamphlet of 240 pages; 34,000 small cards, containing a compendium of the laws and chart; 2,000 large charts; 2,000 small charts in Italian; 2,000 small charts in Hungarian; 1,000 bulletins, showing recent legislation. Besides this 3,000 annual reports of the Board were published, and our wardens and justices of the peace furnished with legal forms.

INSPECTION.—During the year Assistant Protector Mathis made an inspection of each boat, motorcycle and auto owned by the State, and made a written report to the Board concerning the care and condition of the same with particular reference as to storage, painting, custody and amount of wear shown.

REVOKED COMMISSIONS.—The Board revoked the commissions of several deputy wardens for the good of the service. A large number of deputies have been appointed from time to time, but the results obtained from them do not justify increasing the list, and it is very evident that the list needs weeding out. It is no good reason to appoint an applicant as a deputy simply because he merely takes an interest in fish and game matters, and it is simply impossible to appoint every applicant, the cost of badges, supplies, etc., making it prohibitive, if for no other reason.

To cover the situation the Board adopted the following resolution:

THAT the Board believes that 25 good deputy wardens is a sufficient number for any county.

THAT where the number of deputy wardens exceeds 25 in a county, no more shall be appointed for said county, unless for extraordinary reasons.

THAT applicants for deputy wardenships hereafter be notified, if applying for appointment in a county where there are already 25 wardens, that the appointment cannot be made, as no vacancy exists.

We sent a circular letter on September 8th to deputy wardens urging activity in enforcing the law.

FOREST FIRES.—The Board received several complaints this year to the effect that forest fires might be caused by licensed gunners. It must be understood that the hunting license issued by the State gives the licensee no right to trespass nor to violate any law, and this Board has no authority in the matter of the enforcement of the forest fire law, the same coming under the jurisdiction of the Forestry Commission of the State. However, this Board has done all in its power to prevent forest fires. Of recent years we have published a warning in our books and cards for hunters to be careful not to cause any fire, and called their attention to the fact that every forest fire destroys a game cover. In addition we have published the following summary of the forest fire law, as an additional warning to hunters:

"It is unlawful to build a fire in any woods, or within 200 feet of any woods or field that may carry fire to a woods, for any purpose without the written permit of a fire-warden. This prohibition covers camp fires and all fires set to smoke out game. The penalty for any violation of the law may be a fine of from \$50 to \$200. The law does not apply in a few districts where there are no fire-wardens; but anyone who causes a forest fire anywhere may be held accountable. Fire-wardens are located in most wooded districts, and it is their duty to report all offenders, as well as to issue permits for necessary burnings.

"The forest fire law is not administered by the Fish and Game Commission, but by the Forest Commission, State House, Trenton, to which inquiries should be addressed."

Despite the fact that records for many years prove that more forest fires occur in the spring than in the fall, we learned, during the preparation of this report, that an impression is abroad that the people of New Jersey must now choose between the privilege of hunting rabbits and deer in a fixed season or seeing our forests wiped out completely from fires started by gunners. This impression was emphasized by reason of the almost unprecedented drought in the summer and fall of 1914. We do not regard that this is the time nor the place to discuss this matter at length. However, we are convinced that hunting rabbits and deer under present conditions, judging from the past, does not threaten the destruction of our forest area.

The menace of fire in both city and country is always present, and the following compilation of figures from data collected by the State Forest Park Reservation Commission indicates clearly that the number of fires during the rabbit and deer season is small as compared with certain other periods of the year. Still further, the total number of fires during the rabbit and deer season as compared with the total for the remainder of the year shows how absolutely unjust is the attempt to make the hunters of our State shoulder a responsibility which does not belong to them.

Then, it must be remembered in studying the figures presented below that in 1913 and 1914, the rabbit season extended each year over only 45 days, 20 days in November and 15 days in December; and that the average length of the rabbit season for the past four years was 49 days inclusive of Sundays on which days hunting is prohibited. The deer season each year is only from four to five days.

An unusually large number of forest fires in a hunting season under unusual weather conditions is most regrettable, and their reduction to a minimum is desirable. As members of this Board we feel ourselves pledged to bring about an improvement, if possible, but we firmly believe that it is unfair to eliminate hunting in a fixed season on the basis of the impression abroad and the records before us. The burning of Chicago was no argument against the further building of cities.

RECORD OF STATE FOREST COMMISSION, SHOWING FOREST FIRES.
Fiscal Year

| of | Nov. | Dec. | Jan. | Feb. | Mar. | Apr. | May | June | July | Aug. | Sept. | Oct. | Total |
|-------|------|------|------|------|------|------|-----|------|------|------|-------|------|-------|
| 1910 | 1910 | 1910 | | | | | | | | | | | |
| 1911 | 21 | 1 | 9 | 10 | 76 | 134 | 189 | 21 | 36 | 24 | 1 | 6 | 528 |
| *1912 | 1911 | 1911 | | | | | | | | | | | |
| 1913 | 1912 | 1912 | | | | | | | | | | | |
| | 52 | 21 | 3 | 21 | 109 | 203 | 141 | 88 | 52 | 16 | 9 | 5 | 720 |
| 1914 | 1913 | 1913 | | | | | | | | | | | |
| | 58 | 30 | 15 | 19 | 13 | 232 | 230 | 69 | 14 | 3 | 51 | 123 | 857 |
| | 1914 | 1914 | | | | | | | | | | | |

Nov. 1
Nov. 17

**1915 212

*To be furnished by the Forest Commission. Detail not available now.

**November will be increased by about one-quarter. December will be furnished later, and Fire Warden Wilbur says figures will be normal.

ADJUSTING AN OLD CONTROVERSY.—In our last annual report we referred to the old controversy with the State of Delaware as to the rights of that State to fish within the jurisdiction of New Jersey in the Delaware river and bay. The position which had been taken by this Board was that the New Jersey laws affecting the Delaware river and bay between this State and Delaware were effective for enforcement to the middle of the waters lying between the two States, and, following correspondence with the officials of Delaware, our position was finally admitted by the State

of Delaware. At that time Governor James F. Fielder in writing to Governor Charles R. Miller, of Delaware, said among other things: "Permit me to urge upon you the importance of the enactment of such concurrent fish regulations governing the Delaware river and bay between this State and Delaware in order that any future friction of this character may be avoided." To this Governor Miller replied that he intended to recommend legislation to clear up the differences that have existed in the past, and he expressed his appreciation of Governor Fielder's courtesy in the matter of the controversy which had arisen.

We are advised that the State of Delaware has now adopted "An act providing uniform laws to regulate the catching and taking of fish in the Delaware river and bay between the State of Delaware and the State of New Jersey," which act was approved in New Jersey May 7, 1907. This act was adopted as the result of work of Commissioners of New Jersey and Delaware agreeing upon a uniform law, said Commissioners having met by virtue of Article four of the compact or agreement entitled "A compact between the State of New Jersey and the State of Delaware, relating to the boundary controversy between said States," which was ratified and confirmed by an act of the Legislature of the State of New Jersey, approved March twenty-first, one thousand nine hundred and five, and by an act of the General Assembly of the State of Delaware, approved March twentieth, one thousand nine hundred and five.

We desire to make a record here of the Board's appreciation of the service of Governor Fielder in the adjustment of this matter. He brought to bear upon the question a firm statement of the position of New Jersey, and at the same time with great skill and delicacy pointed out the way by which the controversy, long existing, could be ended.

DEER.—There were 149 bucks and two does killed during the deer season in 1913, which was shortened to four days by reason of a Sunday being included in the days from the first to the fifth of November. As to the does, one was found dead in the woods after the close of the season and one was killed by a violator of the law, who was prosecuted by Assistant Protector Mathis and Warden Loder, and who paid the penalty of \$100 and costs. Three bucks were also found dead after the close of the season. The counties in which the bucks were killed follow: Atlantic, 45; Burlington, 17; Cumberland, 41; Morris, 1; Ocean, 8; Salem, 1; Sussex, 3; Warren, 21; Cape May, 12. Total, 149.

For many years deer hunters in South Jersey had baffled the efforts of the wardens to prevent violations of the deer law, and in some districts the impression grew that deer hunting at all times

was a natural right. In the past in many cases where the Board had substantial evidence as to violations, it had been found impossible to secure convictions owing to the reluctance of witnesses, who were neighbors of the offenders, to testify against them. However, during December there were two prosecutions for illegal deer hunting, which considerably cleared up the atmosphere in Burlington, Ocean and Atlantic counties. In one case friends of a defendant, who had been arrested and who had been convicted for violating the deer law, made a complaint for the same offense against the State's principal witness, but on trial the State's principal witness was acquitted.

Late in February the Board secured another conviction for killing a deer. In this case our wardens tracked the offenders through the snow to a residence, and on obtaining a search warrant the carcass of a deer was found. In this case one defendant paid a penalty of \$100 and costs for killing the deer, and another defendant paid the same penalty for having the deer in his possession.

We also succeeded in collecting from bondsmen the penalty imposed upon two defendants, who, several years ago were convicted for illegal hunting of deer in Cumberland county. Several of a party had been arrested, and they were all convicted before a Justice of the Peace, but they took an appeal which was dismissed by the Common Pleas Court. All the defendants promptly paid their penalty with the exception of two. In the meantime the warden who had appeared as prosecutor died, and left no estate. In order to prosecute the bondsmen it was necessary to locate each member of the warden's family, and arrange to have an administrator appointed in order properly to present the case in court. This work consumed considerable time, with the result that the defendants paid a penalty of \$200 with interest and costs amounting to over \$300.

HUNTING DEER WITH DOGS.—The Board learns with regret that there is an agitation to change the deer law so as to permit the hunting of deer with dogs. This would be a step backward, if it is the policy of the State to propagate deer within its borders. By reason of our location, it is safe to say that with dogs running deer every deer would soon be killed or driven out of the State.

The persons behind such proposed legislation claim that as the use of rifles is prohibited there are many cases where buckshot only cripples the deer, and that in consequence many are found dead in the woods after the hunting season is over. It is also claimed that if the use of dogs were permitted the crippled deer could be trailed and killed. While the deer season of 1914 does not come within view of this annual report, yet it might be stated here that Protector Stratton had each warden to report as to the number of

deer found dead in the woods after the close of the season. The reports show that not one such deer was found nor heard of, which would clearly seem to refute the argument advanced by persons who seek to change the present law.

WARDENS' SERVICE.—The service rendered by our wardens during the year has been most satisfactory. Never before in the history of the State have the wardens shown such efficiency. If but a few years back the position of game warden was regarded as a sinecure by any person, such belief must now be dispelled. Our wardens generally show a marked degree of personal courage, industry and an adequate knowledge of our laws, and they will compare favorably with, if not excel, the wardens of other States. The people of our State have every reason to be satisfied with their work.

The extraordinary blizzard of the winter was destructive of considerable of our game. Letters were sent to each of the wardens requesting him to locate and feed quail and pheasants if the snow in his county was in such a condition as to prevent the birds getting their natural food. The wardens succeeded in locating many coveys and erected shelters for birds, placing feed in them. The wardens also visited these shelters at various times, and noted that the birds consumed the feed. There is no doubt that by this method many birds were saved, particularly as some heavy rains on the snow, followed by freezing weather, formed a crust which was a barrier to the birds getting their natural food or gravel.

APPOINTMENT OF WARDENS.—During the year the following wardens were appointed after certification by the Civil Service Commission:

William H. Small, Englewood, Bergen county.

Jacob D. Roe, Newton, Sussex county, to take effect Nov. 1, 1914.

Arthur Bratt, of Hackensack, was appointed temporary warden to succeed to the vacancy caused by the death of Warden Reinbold, and served several months until a regular warden was appointed.

WARDEN DIES AFTER LONG SERVICE.—On the 27th of October the Board received a petition from Jacob B. Hendershott, warden for Sussex county, asking that he be retired from the service of the Board, and be granted a pension provided for by the act to permit the retirement on pension of honorably discharged Union soldiers after twenty years continuous or aggregate service of public office. The petition set forth that Mr. Hendershott served in the War of the Rebellion as a Union soldier, and was honorably discharged on the 23d of June, 1864, that May 1st, 1893, he was appointed by Robert D. Foote as deputy warden and continued to act in that capacity until April 16, 1895, and that April 16, 1895, he was appointed by Governor George T. Werts, fish warden, and

had acted continuously as such warden to date. The Board had previously had informal notice of the intention of Warden Hendershott to apply for a pension, and in accordance with the law he would have been pensioned, but at the first meeting of the Board following the application, announcement was made that Mr. Hendershott had died on Nov. 4th. In his long service with the State, Mr. Hendershott was a faithful and efficient warden.

FOX PERMITS.—During the year there were 1,506 permits issued to hunt foxes with hounds and firearms from the last day of the open season for quail to March 31st.

THE DOG LAW.—It gives the Board unusual pleasure to report that the Legislature at its last session passed an act regulating the control of dogs, which has proved generally acceptable to the owners of dogs, and at the same time being a wise provision for the protection of our game. While a proper law regulating the running of dogs may appear to be regarded as a hardship on the owners of dogs in some few cases, yet not only sportsmen but the people of the State recognize the fact that the control of dogs is fundamental in the matter of game protection.

DISARMING ALIENS.—Sportsmen and citizens generally of late have given considerable study as to the advisability of this State adopting the Pennsylvania law which prevents aliens from the right to hunt or shoot or even be possessed of a shot gun or a rifle. In connection with this subject it might be well to quote in part from the address delivered by Dr. Joseph Kalbfus, Secretary of the Game Commission of Pennsylvania, delivered before the National Association of Game Wardens and Commissioners. Dr. Kalbfus said among other things:

“A careful study of these people satisfied me that while the great majority were perhaps honest and industrious and frugal, and ready to obey the law as they understood it, there were also many of them who were criminals in their own country, who had come to this land because of their home records, and who were criminals here, absolutely without respect for any law.

“A study of these people satisfied me that there were but few among them who had the slightest conception of the value of the life work of birds, either to themselves as individuals or to the nation in which they might be found; that they, almost without exception, had come to this land in the hope of bettering their condition, intending to return as quickly as possible to their birthplace. It appeared that in many cases even the existence of these people in their native land depended upon their ability to grasp opportunities, to take advantage of the little things along life's pathway, so that when our migratory birds began to appear in the springtime, beginning with the robin and the bluebird and the black bird, and followed by the great army of feathered workers, these people looked upon them, as I suppose the Israelites looked upon the falling manna, as something sent by a higher power for the subsistence of a

chosen people; all that was required of them was to reach out and take, and this they did, to the great injury of our birds and of the commonwealth.

"With the limited force of officers at the command of the Game Commission, we found it impossible to stop the slaughter. It was hard to catch one of these people in the act; many of them did not go hunting in the sense in which we consider the word. They were here to collect dollars; they were willing to work early and late, and to neglect no opportunity to add a penny to their store; they had no time to waste in the pursuit of possibilities, but almost without exception they noted the catbird or robin or bluebird or flicker that alighted near their stopping place; they knew that the carcass of that bird, no matter how small, would add a little flavor to their meagre meal, and save a cent here and there; and so each one among his first purchases, secured a shotgun, and the pile of feathers near the camp showed that large numbers of birds of various kinds, ranging from the energetic little jenny wren, with her never-ceasing song, to the offensive turkey buzzard, had fallen victims of their aim.

"Further investigation developed the fact that the majority of these newcomers had but a slight regard for human life, and were disposed to settle the most trivial difficulties with force and violence, using any means that might present itself to serve the desired end, regardless of consequences.

"We had fourteen officers shot at, seven shot and four killed by aliens in one year in Pennsylvania. * * *

"The result of this law and its reasonable enforcement has brought a peace and rest to the bird world of Pennsylvania unheard of before its passage, and also has, while this feature is only incidental, brought a condition of safety and contentment to the various communities of our State in which aliens have congregated in numbers, that can hardly be expressed in words or figures."

CODIFICATION OF LAWS.—We again call your attention to the necessity for the codification of the fish and game laws. In the session of 1914 a bill providing for this failed, for an unknown reason, to become a law. As long ago as 1908 the report of the Board contained the following:

"The game laws in many instances are the result of patch upon patch, containing much that is confusing, and in the interest of a clearer understanding of the same by the masses, and the actual intent of the legislature, we would recommend that a commission be appointed to make a revision and codification."

The Democratic party of the State in its platform adopted in 1914, enlarged on this view.

The Board lost, through a technicality, a case brought in Cape May county for illegal net fishing in that county. On appeal Judge Cole found as a fact that each of the defendants drew a net in violation of the law as charged in the complaint. He dismissed the proceedings, however, claiming lack of jurisdiction in the Justice of the Peace before whom the original trial was heard, as well as in the Common Pleas Court. It appears that the act in question pro-

vided that the small cause court should have jurisdiction under the act. We brought proceedings under our regular procedure act, which vests jurisdiction of all cases brought for the recovery of penalties for violation of the fish and game laws in Justices of the Peace as magistrates, and not in the small cause court. While the Attorney General did not consider Judge Cole's decision as absolutely disposing of the question as to jurisdiction, yet it was decided not to take an appeal. As is well known, in penal actions each doubt is usually resolved in favor of the defendant, and in view of this attitude of the courts toward penal actions success in an appeal would be doubtful.

The Attorney General advised us that the act be amended at the next session of the Legislature so as to clearly point out the method of its enforcement. The passage of this act by the Legislature was undoubtedly only another example of legislation which had been carelessly drafted.

In case of codification of our laws every effort should be made to simplify them so that a person in reading a section before him shall be able to ascertain from the same what is the principal law on that subject.

Wise and deliberate action will be needed in any codification, and in the interest of uniformity and clearness of enactments only those qualified should be appointed to do the work. Hunters and fishermen must be made to feel that the State's jurisdiction in fish and game is designed solely to increase the supply of the same and for the welfare of the people. No mere local demand to slaughter game and fish should stand in the way of the adoption of a codification which expert men shall find will make for the betterment of conditions. Much of the confusion arising from our laws has been due to the efforts of a few legislators to favor certain localities with exceptions to the general laws.

Despite improved firearms, changed methods of transportation and increase of population, New Jersey for many years yet should afford excellent fishing and hunting grounds, and many persons well informed believe that it is possible, with proper laws, for persons of moderate means to secure by hunting or purchase a liberal supply of game, of which they are now deprived by reason of its scarcity, and the prohibition of sale of certain game.

In connection with the above it must be added that there has been an improvement noticed among the people and sportsmen of the past few years in regard to fish and game legislation, and while there is and always will be conflicting evidence as to the wisdom of certain measures, yet there is now a well defined tendency to abide by the conclusions of men possessing expert knowledge of conditions and also the advice of scientific men.

It was not many years ago when a few gentlemen largely shaped the policy of many of our hunting laws to suit their personal convenience in the fixing of certain seasons. It is quite certain that such a state of affairs is no longer possible.

UNJUST CRITICISM.—While the Board welcomes criticism, yet our patience has been sorely tried when it is stated that the fish and game laws seem only to be enforced against some poor fellow. An examination of the records will show how unjust such criticism is. As a rule, distinguished men of wealth are not found hunting in great numbers in New Jersey, but last November when one wealthy gentleman in Burlington county shot a wood duck, the wood duck now being protected at all times by our laws, he was prosecuted for having taken a game bird between October 10th and November 9th, and paid a penalty of \$100 and costs.

In Atlantic county, a contractor, when arrested for hunting illegally drew a hatchet from beneath his coat and threatened to kill the warden. There was found in his possession one song sparrow and one purple finch. He was convicted of the violations and paid a penalty of \$20 each for the two birds, and \$20 for going in the woods in the prohibited season with a firearm. He was also held under \$2,500 bonds to await the action of the Grand Jury on the charge of assault. On the latter charge he was indicted by the Atlantic County Grand Jury, tried and convicted by a jury, and paid a penalty of \$300.

The Board has also moved, and with success, against powerful corporations both within and without the State, which have violated our laws. In several instances, where the law so provided, evidence was presented to grand juries and indictments found. In the case of one corporation against whom a judgment was secured, the plea was laid before the Commission that the payment of the penalty would throw the company into bankruptcy, and it was claimed that the affairs of the company were such that it did not possess goods on which the State could levy. However, the Board made an investigation and found property on which a levy could be made, which insured the payment of a large penalty.

Several cases were brought against the Franco-American Poultry Company, Incorporated, by Protector Stratton, for shipping wild-ducks from the State. We were assisted in this prosecution by the United States authorities, who laid before us convincing evidence of violations. The Board completed the array of evidence by its own investigation. The company retained as its counsel United States Senator William Hughes. Our Board was represented by Mr. Josiah Stryker, of the Attorney General's department. The company settled by paying a penalty of \$5,550.

Following the affirmance of the Supreme Court of the judgment rendered against the Lakewood Market Company for \$1,460, for illegal possession of game, the defendants made application to have the case reviewed by the Court of Errors and Appeals, but finally abandoned their last appeal.

In several cases violators lived without the State, but in each instance through diligent and patient work the Board secured their attendance within the jurisdiction of our courts. In one case a defendant voluntarily left his State to come here and pay the penalty. In another case a defendant, who had been several months evading our efforts to capture him, was finally arrested almost the minute he set foot within the State while on a brief visit here.

It might be added that the Board's interest in enforcing the law is not wholly confined to the mere purpose of securing the penalties, as in several cases the penalties when received were retained under the law by the counties where the prosecutions were conducted.

TROUBLES WITH JUSTICES OF PEACE.—No little annoyance and trouble was experienced by reason of the necessity of commencing proceedings against five justices of the peace for failure to pay over to the Board penalties which they had received for fines. In one case the Board secured a judgment against a justice. In another case a justice of the peace, according to our warden, convicted two defendants, who gave him a check for \$40, the amount of the penalties. Later the justice claimed that the defendants were not convicted, but had simply given their check to assure their further appearance if the same was necessary, and later the cases were dismissed on the ground that the complainant did not appear. However, on learning this we drew up a new complaint and successfully prosecuted the case before another justice of the peace. One justice of the peace was arrested for his failure to forward moneys to the Commission, and on failure to get bail was committed to the county jail to await the action of the grand jury, but later he settled in full. One justice of the peace died during an investigation of his delinquency, and we collected from his bondsmen the amount of penalties for two cases which he had not reported to the Board. In another case a justice of the peace was delinquent in the matter of ten penalties, but he settled promptly on the beginning of proceedings by the Attorney General.

We desire the above record made in this matter in order to give publicity to the Board's determination to hold delinquent or neglectful justices of the peace to the strictest account for their failure to co-operate with the Board.

INFORMATION AND BELIEF.—Among several instances showing the worth of the law which allows the fish and game

commissioners, the fish and game protector, and the assistant fish and game protector to file a complaint based on information and belief, adopted as recently as March 27, 1913, your attention is directed to prosecutions brought under this law by Protector Stratton against the Franco-American Poultry Company. Another instance was when a complaint was filed against two defendants for dynamiting for fish in Culvers Lake, Sussex county. Dynamite exploded in the lake had killed a great many game fish. It appeared that the defendants were employed by a Jersey City firm to build a dock in Culvers Lake. The investigation clearly indicated that they were the guilty persons, but they made absolute denial of the violation. The defendants retained former Judge Huston of Newton to defend them, but on the day the case was called each paid the penalty of \$100 and costs without going to trial.

STARLING NUISANCE.—The starling is increasing rapidly in this State, and, if unchecked, there are some who believe that they will become as great a nuisance as the English sparrow. While the damage done by these birds to fruit growers has not been considerable, yet complaints have been received from several parts of the State where the birds abound in such numbers as to become a distinct nuisance in resident districts. The United States Government forbids the further importation of this bird and its transportation from state to state, but such law will have no effect in itself to prevent a rapid multiplication of the species where it is already established. These birds are now protected under our general law, but we also have a law which provides that they may be destroyed when, in the judgment of the governing body of any municipality in this State they are so numerous in such municipality as to become a public nuisance, but the destruction of the bird is only permissible upon the municipality making application for their destruction and upon the Board of Fish and Game Commissioners issuing a permit for the same. Several such permits were issued by the Board during the year.

GAME REFUGES.—Legislation providing refuges where game and birds will not be disturbed, and from which surrounding territory could be restocked by the overflow from these protected areas would be extremely desirable. The United States has now almost 100 national reservations which afford such refuges, and this State is in possession of considerable lands which could easily be set aside as refuges. The subject of refuges is gathering strength throughout the country. The State of Pennsylvania has long had such refuges in various parts of the State, hunting or the firing of a gun within said lands being absolutely prohibited even during the open season. We understand that it is the intention of the Pennsylvania Commission to increase such refuges until there is at least one in

each county of the State. The Federal migratory game bill recognizes the principle of refuges and certain sections of the country, notably the rivers, are made refuges for all migratory birds.

ORGANIZATION, CONFERENCES, ETC.—The Board organized November 25th, with the re-election of Ernest Napier, of East Orange, as President, and Wm. A. Logue, of Bridgeton, as Treasurer.

Percival Chrystie, of High Bridge, who had been a member of this Board since its reorganization November 25, 1907, sent in his resignation to Governor Fielder on February 10th, and the Governor appointed Bernard M. Shanley, Jr., of Newark, to fill Mr. Chrystie's unexpired term, and also appointed Mr. Shanley for a full term of four years to commence November 25th, 1914.

The Board is sincerely grateful to Governor Fielder for his assistance to us in many ways, and in his approval of desirable legislation, and it is safe to say that personally and in his official capacity he has always had at heart the interests of the hunters and fishermen of the State, as no other Governor has had in recent years.

The Board is appreciative of the assistance rendered by Attorney General Westcott and his assistants. The legal end of the work of this Board in the drafting of bills to be presented to the Legislature, in matter of interpretation of laws, in the prosecution of cases before justices of the peace and in the higher courts, together with the drawing of deeds, contracts, etc., and representing the Board in condemnation proceedings, aggregates large during a year. Much of this work in the office of the Attorney General has been referred to Second Assistant Attorney General Theodore Backes, and Mr. Josiah Stryker. Mr. Stryker represents the Board in all court proceedings.

In January the Board had a conference at the Court House in Salem with residents of Salem county, for the purpose of discussing fish and game matters.

On February 26th, the Board held a conference with the members of the Legislature from Passaic county and citizens of that county interested in hunting and fishing, at the Court House in Paterson. The meeting enthusiastically endorsed and urged the Passaic county representatives in the Legislature to support the measures which had been introduced in the Legislature as the legislation desired by the Board.

The President with Charles O. Hayford, Superintendent of the hatchery, attended the annual meeting of the National Association of Fish and Game Commissioners which was held at Washington.

As usual the Board held numerous conferences with hunters and fishermen at the office at the State House, and no little time was

occupied each week of the year by the Commissioners at their respective homes and in various parts of the State.

GREENWOOD LAKE.—Complaints were received that nets and set lines were being used in Greenwood Lake, which lake lies partly in this State and partly in New York. On investigation it appeared that the nets and set lines were being used in the part of the lake located in New York state. Protector Stratton took up the matter at once with the New York Conservation Commission, but it appears from a letter on file, that kind of fishing was permitted in that State. Llewellyn Legge, Chief Protector of New York, wrote thanking us for calling his attention to the complaints, but he added that he believed the nets which were seen were those used for which a license had been granted by the New York Commission, and added further that the set lines were used under an order recently issued by the New York Commission permitting the use of the same.

CASE OF WARDEN REINBOLD.—Antonio Lettieri was indicted December 5th in Rockland county, New York, for murder in the first degree for having caused the death of Warden John C. Reinbold. On October 19th, 1913, Warden Reinbold was shot in New York State, just beyond the New Jersey line, while in search of violators of the New Jersey law, and died from the wounds received October 23d.

Among the testimony given to the Grand Jury was the testimony of Joseph Benny Vincenzo, who testified that he was with Lettieri when Reinbold was shot. John Donnantuonio and his brother Thomas testified before the Grand Jury that they heard Vincenzo tell about the shooting after it had taken place, and that on the morning of the shooting Vincenzo and Lettieri left their homes with guns. A transcript of the testimony of seven different witnesses in all was submitted to the Governor of New York State, and the United States Government was requested to apprehend Lettieri, who it was reported by the Burns Detective Agency, had fled under an assumed name to Italy.

January 21st this Board received a communication from Joseph W. Folk, Solicitor for the Secretary of State, to the effect that the department had notified the Governor of New York that the American Embassy at Rome had reported on December 5th that Berardini Ruggerio, who was arrested in Italy on suspicion of being Lettieri, had been identified as the person he claimed to be, and was, therefore, released from custody. It was the belief of the Burns Detective Agency that Lettieri had sailed under the name of Berardini Ruggerio. The Board took up the matter anew with Secretary of State Wm. J. Bryan, informing him of the fact that the detectives,

who gathered the evidence in the case, were convinced that Lettieri sailed for Italy at the time when Berardini Ruggerio sailed and under that name. A detailed description of Lettieri was furnished the Department of State, with the request that the matter be taken up further with the Italian authorities.

Some time later President Napier received a letter from Comb Johnson, Solicitor for the Secretary of State, enclosing a copy of a dispatch from the American Ambassador at Rome, forwarding a copy of a communication from the Italian Foreign office, stating that further examination proved that Berardini Ruggerio is not identical with Antonio Lettieri, who is charged with the murder, and accompanying the communication was a photograph of Ruggerio. The communication from the Italian Government says that the description of Lettieri furnished by us demonstrates beyond all dispute that Ruggerio is not the man wanted. It thus appears that all efforts to apprehend the murderer of Warden Reinbold have failed.

AN INVITATION.—In conclusion, we beg to impress upon the people of the State the fact that both the Game Farm and the Hatchery are open to their inspection. The Hatchery may be visited at any time. During the breeding season, May, June and July, at the Game Farm, admission will only be permitted by cards of admission, which can be obtained on application to any member of the Commission, any regular salaried warden or to any member of the Legislature.

It is highly desirable that the public shall become interested in these two institutions and made to feel that they are being conducted for the welfare of the State. This Board had always taken the position that the success of the administration of the fish and game interests can only be secured by the hearty co-operation of our citizens.

New Jersey Legislation in 1914.

CHAPTER 16.

Makes close season on wild turkeys for five (5) years.

CHAPTER 17.

Provides that all pound net licenses shall expire December 31st.

CHAPTER 39.

Provides that all menhaden licenses shall expire December 31st and makes the penalty for violation of the Menhaden act \$500.

CHAPTER 19.

Makes close season for net fishing in the Mullica river from March 1st to November 15th.

CHAPTER 43.

Prohibits persons under 14 years of age from taking out a resident hunter's license.

CHAPTER 147.

Prohibits all spearing and erection of all eel weirs in fresh waters.

CHAPTER 33.

Amends section five (5) of the Delaware River and Bay act, between Delaware and New Jersey, by permitting fifty-fathom gill nets and hauling seines to be used in the Delaware river and bay between Delaware and New Jersey from March 1st

to December 31st, for the purpose of taking food fish and white and yellow perch; also permitting the use of stake nets not exceeding twenty-five fathoms in length and not smaller than three-inch mesh, set approximately parallel with the shore in the tributaries of the Delaware river and bay, for the purpose of taking food fish and white and yellow perch. Said stake nets not to be set within two hundred feet of any other net and not to be within two hundred feet of any sluice, breach or intake emptying into the tributaries of the river or bay. This act applies only to the Delaware river and bay and tributaries between Cape May Point and Marcus Hook.

CHAPTER 161.

Amends act of March 25th, 1913. Skunk, mink, muskrat and otter may only be taken by being trapped in all parts of the State from November 15th to April 1st, excepting in Salem county above Mill creek, where it is lawful to shoot, kill and take by means of any firearm or gun or light any skunk, mink, muskrat or otter between the above dates.

CHAPTER 183.

Makes a close season on female English or ring-neck pheasants for five (5) years, except on game preserves duly licensed by the Board of Fish and Game Commissioners.

CHAPTER 242.

Makes it unlawful to sow, deposit or place any rye, wheat, oats or corn or other cereal, except wild celery and wild rice, in any of the salt or fresh waters of this State for the purpose of decoying or baiting wild water fowl.

CHAPTER 243.

Prohibits the use of hauling seines beneath the ice in salt waters.

CHAPTER 250.

Amends section 24 of the act of 1903, and takes the place of act of March 27th, 1913. No dog is permitted to run at large except during the open season for killing quail, rabbit, squirrel, English or ring-neck pheasants, ruffed grouse, prairie chicken or Hungarian partridge.

No person shall go into the woods or fields with a hound or firearms except only during the open season for killing the above-mentioned game, but the act does not apply to hunting deer, woodcock, snipe, rail, mud hen and water fowl in the manner provided by law.

The owner, lessee, etc., of any dog may without permit go into the woods or fields with such dog without firearms for the purpose of exercising or training said dog in daylight from October 1st to the first day of the open season for killing the above-mentioned game, except during the five days of the deer season.

The owner, lessee, etc., of any dog may without a permit take into the woods or fields such dog without firearms, at any time of the year, if such dog is not allowed to hunt or pursue any game, and if such dog is under the immediate control and command of such owner, etc.

Authorizes the Commission to issue permits to persons (a) to hunt foxes with hounds and firearms from after the last day of the open season for killing the above-mentioned game until March 31st, and (b) to hunt foxes with hounds and horses, or (c) to drag-hunt at all times.

The act does not prevent the killing of crows, hawks and vermin at any time when in the act of destroying poultry or grain.

CHAPTER 44.

Relating to salaries at Game Farm and Fish Hatchery.

CHAPTER 32.

Amends section seven of the Delaware river act above Trenton Falls, providing for hauling seines with meshes not smaller than two and one-half inches stretched measure to be used from September 1st to May 31st for the purpose of taking carp and suckers only. This act is not effective until a similar act shall be adopted by Pennsylvania.

CHAPTER 73.

Reimbursement of \$14,820.30 to the Resident License Fund.

CHAPTER 152.

The Hunters' and Anglers' License Act. (See page 6.)

Financial Statement

1913-1914—INCOME.

| | |
|--|--------------|
| Balance November 1, 1913—Resident License Fund..... | \$2,853.90 |
| Balance November 1, 1913—Game Protection Fund..... | 183.00 |
| Resident License Fund..... | 65,823.05 |
| Act of 1908 Account— | |
| Menhaden licenses | \$9,850.00 |
| Nonresident licenses | 4,350.00 |
| Preeders' licenses | 190.00 |
| Pound licenses | 5,240.00 |
| Sundries | 953.75 |
| | 20,583.75 |
| Fines | 17,629.30 |
| Game Protection | 700.00 |
| Appropriation Game Farm and Fish Hatchery, annual..... | 50,000.00 |
| Appropriation Game Farm and Fish Hatchery, supplemental..... | 2,500.00 |
| | \$160,275.00 |

EXPENSES.

| | |
|---|--------------|
| Resident License Fund | \$63,618.79 |
| Act of 1908 Account | 17,842.08 |
| Fines | 16,709.66 |
| Game Protection | 550.66 |
| Appropriation Game Farm and Fish Hatchery, annual..... | 43,383.28 |
| Appropriation Game Farm and Fish Hatchery, supplemental | 2,268.19 |
| To Balance | 15,902.34 |
| | \$160,275.00 |