

REPORT

OF THE

Commissioners of Fisheries and Game

OF THE

STATE OF MAINE

FOR THE YEAR

1885-1886.



AUGUSTA:

SPRAGUE & SON, PRINTERS TO THE STATE.

1886.

REPORT

OF THE

Commissioners of Fisheries and Game

OF THE

STATE OF MAINE

FOR THE YEAR

1882-1883

ATTEST

FORWARDED A TRUE COPY TO THE STATE

1883

REPORT.

His Excellency Frederick Robie, Governor State of Maine.

We have the honor to present our Report for the years 1885 and 1886. The two years that have passed since the last session of our Legislature have severely tested the new fish and game laws then enacted, while the increased pecuniary benefit to the State has evidenced the wisdom and foresight of our law makers. We give below the opinion of the Press as expressed in editorials and in communications from correspondents. As this is all outside and disinterested evidence from accomplished sportsmen who gladly visit our State and participate in our field sports, we make no apology for introducing it, as worthy of careful consideration. The following is from the columns of *Forest and Stream* and credited to the *Boston Herald*.

It is a fact that the State of Maine has the most rigid and the best enforced code of laws for the protection of game and game fish of any State in the Union. This is as it should be, for there is no eastern State, at least, which contains so vast an extent of forest, the natural home of the larger game, and so great an area of inland waters. It is also a curious fact that a large percentage of this woodland is valueless for any other purpose than the growing of timber and the furnishing of a sporting ground for the hunter and a breathing place for the lover of nature. That the larger game, moose, deer and caribou, were in danger of finding the fate of the bison, once abundant on the plains, now reduced to a few straggling herds, till the strong arm of the law took hold to stop the ravages of the hunter for the mere hides and the market hunter, there is no doubt. That this larger game has wonderfully increased

in Maine under the enforcement of its more stringent game laws, enacted by the Legislature of 1883, is admitted by even those who would now ask for their repeal. One of the strongest proofs of the value of these later enactments is to be found in the Boston market, where, in the winter season before the enactment forbidding the transportation of game, there were received by actual count nearly 1000 Maine deer, which were sold for a very small price or permitted to rot; but since the existence of that law scarcely a dozen deer find this market from that State in a season. That a correspondent of the *Herald* should find objectors to such a law in the person of guides, hotel keepers and stage owners is not at all strange or unnatural. They prefer the nimble penny to the dollar that is longer coming. It is perfectly natural for the people whom the law is framed to regulate to desire more license, but the bare fact of the great success of the present code of game and fish laws in Maine, in the way of a wonderful increase in the very game and fish which they are presumed to protect, is one of the strongest reasons in the world for letting those laws remain just as they are till such time as when the Commissioners and those who have the perpetuation of the game and fish in question the nearest at heart shall think it prudent to grant a longer open season and greater license to kill. That such greater license will, at the proper time, be granted, we have the best of assurance; and until that time every honest citizen of Maine, and every visitor, should accord a cheerful obedience to a code of laws which permits all to share alike to the fullest extent of open season and privileges of transportation that can be granted with safety to the future existence of the fish and game in question.

Under date of August 6th, 1885, Mr. Charles L. Brace, the noted philanthropist of New York, and who is not only a most successful "fisher of men" but an adroit and enthusiastic angler, pays the following appreciative compliment to the wise forethought of our own State Government:

The State of Maine is wonderfully intelligent in its game and fish laws. The Legislature has made a kind of enormous trout preserve of Moosehead Lake. No trout are allowed to be sent from it to market, and each angler is permitted to take with him only fifty pounds to the lowlands. As a clever legislator said to me, "they found it paid better to get from the gentlemen sportsmen ten dollars a pound for the trout than to let the pot hunters sell them for ten

cents." Great care is taken in re-stocking the lakes and in protecting the fish on their spawning beds and from set lines or any destructive artificial means of capture. Indeed, here they seem to have erred on the good side, and have forbidden the innocent sport of trolling for lake trout. What a contrast is all this to the neglect of the Adirondack lakes, where I have known hundreds of pounds of trout sent to market from a single lake in the spring, and where only recently has re-stocking been attempted. On the contrary, trout fishing has been almost completely destroyed in great stretches of water—such as the Long Lake connections—by the introduction of pickerel. One interesting result of the Maine Fish Commissioners' work was to be seen on the Penobscot at Bangor, where, on the open rapids, some two dozen large salmon had been taken this summer by sportsmen with the fly.

Moosehead Lake is evidently to be the grand fish pond of the Union. It is fed by innumerable springs at the bottom and has various streams suited for spawning. It is in the depths of the wilderness, beyond which are no roads and yet approached by a railroad from Bangor and soon to be reached by another from Canada, connecting with Halifax through eastern Maine. The waters are forever protected by law from such deposits of mills or factories as would drive away the trout. There is really now but one angler's hotel on it, but there is no reason in the future why there should not be a dozen. The game fish in these waters now are the river trout, whitefish, and there soon will be, no doubt, the land-locked salmon—gamest of all the *Salmonidæ*. But angling here in July and early August is, as in the Adirondacks, no joke. You can get the fish, and handsome ones, with the fly, but you have to work for them. An Indian or guide with his canoe must be paid for, camping material for one or two nights taken, and then you must paddle and pole up a stream to some lake or inlet where the one and three pounders lie *perdu* under the shady banks. In this month, too, these beautiful creatures are very fastidious as to their food and their habitat. Nothing is certain about the angling. You may bring home a splendid string or you may not get a "rise." It is very expensive sport, too, costing from \$5 to \$10 per day. In all this, August fly fishing in the New York wilderness is much the same, only the Moosehead trout run larger and the spawning time is later, so that the last weeks of August and September give the best fishing. In the Adirondacks good fishing is over by August 15 and is closed by law September 1.

The best flies, too, seem different. The favorite fly in Northern New York, the scarlet ibis, which resembles no earthly insect, is entirely indifferent to the Maine trout; the brown hackle, black hackle, watchman, and professor seem to do fairly well with both.

Mr. A. H. Wood of Boston, a noted and accomplished salmon fisherman, who has recently returned from his fishing grounds on the Miramichi, writes as follows to the *Forest and Stream*:

The trouble with the Miramichi fishing is at the mouth of the river. If all netting could be stopped above tide-water, the salmon would become more plentiful, and the Miramichi would rank among the first salmon rivers in the world, and sportsmen from all quarters would flock its banks, and leave many thousands of dollars with the inhabitants. Why, just think of it! the State of Maine with her splendid game and fishery laws realized last year from sportsmen and tourists over five millions of dollars, while you, with equal or better facilities, get comparatively nothing. Not only that, but in the near future your people will require to do what the United States Government has already been compelled to do, viz: to spend hundreds of thousands of dollars to re-stock rivers which once teemed with salmon, but became entirely barren from the same cause that is gradually, but surely, overtaking yours. Every year seems to produce more salmon fly-fishers and less salmon. Therefore, I say, a little careful legislation in time will draw many dollars to your province, beside saving many in the future, and should you be able to do anything toward bringing about a change for the better every sportsman will help you.

Five millions of dollars is not too high an estimate of the money expended in our State by our summer visitors in 1885. This year, the tide of travel to our sporting centres has been far in excess of any past precedent, and the Press has in one voice pronounced it double, as also its consequent expenditures among our people and on our lines of travel. The primary attraction for this living tidal wave has been and is our fish and game, and which would never have found its way here, had it not been induced by that powerful allurements. That the wonderful increase in our product of fish and game

should have resulted from the very imperfect protection the Commissioners have been able to extend to it, from the limited and inadequate appropriation of the Legislature, has excited surprise and wonder from every State in our Union. Perhaps much of our success has arisen from the intelligence and enlightenment of the great mass of our people, which leads them to yield obedience to any reasonable law, where the benefit to them is so directly apparent, if the means of knowing and understanding it is placed within their reach. The Commissioners for several years have appropriated a sum of money from their slender resources to collate and publish all the fish and game laws of the State, for distribution. Over five thousand copies have been called for within the last two years. This distribution has not been confined to our own people alone, but has been called for from other States by every mail, not only by individuals, and fish and game associations, but by State legislatures. Imperfect in its organization, inadequately sustained by requisite appropriations as is our present Commission, we are widely quoted and referred to as the only State in the Union that has "a sensible code of game laws effectively enforced." The Commissioners have enforced the laws to the full extent of their appropriation, and have then and there been obliged to stay their hands. The extent of our jurisdiction is over 35,000 square miles of territory; our duties, to exercise fostering care over all the fish and game, and to promote its protection and increase by rigidly executing such laws as are enacted by the Legislature; to visit all parts of the State and note the workings of the laws; to introduce new and valuable species of fishes to our waters; to order fishways wherever we deem them necessary; and to see that the wardens do their duty in enforcing the laws. Our appropriation by the last Legislature was \$7,500 per annum for the biennial term. This sum gives a small fraction over twenty-one cents per square mile of our territory to pay for all our work, viz: the pay of all our wardens, travelling expenses, fishway expenses, surveys, engineers and plans, hearings, purchase of sea and land-locked

salmon eggs, construction of our hatching houses, care of eggs until hatched and young fry ready for distribution to the various streams and lakes to be stocked, defending the lawsuits brought against us, the invariable accompaniment of every new and untried law, providing our own office and storehouse rent, fish cans and apparatus, and for doing all our own clerical work. The boundaries of one-half of the State, over which we are expected to extend our protection and care, are upon the Dominion of Canada and the Province of New Brunswick. We require upon our boundaries the services of good, efficient men. These men must have no other occupation. They must be efficient, sterling men, of morality and integrity. Such men will command good wages, and their honesty and integrity is worth paying for. To hunt or shoot in New Brunswick requires a license of \$20. Her Indians and her citizens, and those of Canada, kill our game in close time and crust-hunt our moose, and break all our laws with impunity, and escape beyond the reach of our authority. Our own are sought out and punished. This is why we require a good and efficient guard on our boundaries. Within our own limits, our present appropriation of \$7,500, which is the largest ever made for our department, is only sufficient to do a little in each county of the State, but to do effective and conclusive work nowhere. Uneven or partial enforcement of the laws, from whatever cause arising, promotes disrespect for State authority, and fosters the very evil the laws were enacted to suppress. The open resistance to the authority of the State in Washington County by an organized band of outlaws, who commenced their career of crime by a cold-blooded murder, culminated two years ago in attempting the lives of wardens, in destroying stock, in burning houses and barns, girdling trees, destroying gardens, and seeking to intimidate by sending letters threatening life if the enforcement of the laws was not discontinued. The dignity of the State demanded a rigid performance of our duty. Two of the criminals have been tried and convicted, and, unless gross corruption prevail, will be consigned to the State Prison at Thomaston. It in-

volved one-half of our whole year's resources, and we have been obliged to withhold our annual subscription of \$1,500 for our usual supply of salmon eggs, besides other economies and sacrifices, necessary to keep within our appropriation, even at the expense of our usefulness.

To gentlemen in Machias the State owes compensation for money freely expended in defence of her laws. For their time and influence a lasting debt of gratitude is due. Is there any one interest in our State that pays back directly to the people so large a yearly return as the department of fisheries and game? Would an appropriation of \$20,000 be too large a sum to pay out for a yearly return of five millions? This present year of 1886 will show a return far in excess of last year. Our railroads and steamboats and hotels have been inadequate to the demand made upon them by the armies of pleasure seekers.

One of the most serious obstacles we have met in administering our department is the demoralizing influence of that wealthy and powerful organization of the Massachusetts Game Dealers. Their tempting offers of high prices for game of all kinds, at all seasons, are profusely distributed throughout our State. The bad influence of Boston market is felt in every State in New England, and even to the far West, where the poachers kill for her market at all times, even send game killed by disease or frozen to death in winter blizzard storms. Some of the very worst and most unscrupulous of poachers visit our forests both in open and close time, men calling themselves gentlemen, men claiming to be ministers and lawyers. Redress from the Massachusetts Legislature, we presume, is not to be looked for. Men who will kill game in violation of the laws of a State where they are mere guests, men who will sell game knowing that it is poached from a State where it is close time, must have blunted perceptions of integrity and honor.

SEA SALMON.

The diminished volume of water in our rivers caused by the demands of our industries and the ravages of fire ; the obstruction of our water courses by milling enterprises ; the throwing into our streams of the sawdust and waste of our saw mills ; the poisonous washings from our starch factories, and paper and woolen and cotton and pulp mills, all have tended to destroy our fishes, and at a period of our existence when an increased population and increased means of transportation to new markets demand an increased production. A great portion of the spawning ground of our salmon has been destroyed by being covered with sawdust and other waste from our thousands of manufactories, compelling our migratory fishes to seek other spawning beds, or leave their ova to be poisoned, or its progeny to be starved. The salmon on the Penobscot ascend higher up the streams and their tributaries, to seek newer, unpoisoned spawning beds, to which their pathway is yearly rendered more difficult. The future of Maine is artificial hatching and planting, or the entire extinction of the salmon in our rivers. For the last decade the work of the Commissioners in yearly planting young salmon fry in the Penobscot has alone preserved the salmon to our river. Had the Commissioners not yearly supplied several hundred thousands of young salmon to stock the Penobscot, the great salmon river of Maine, the salmon would now be a thing of the past and extinct. Yearly have we contributed fifteen hundred dollars from our slender means, to obtain salmon fry for our rivers, and yearly have received from Prof. Baird, United States Commissioner of Fisheries, a generous response to our appeals to save our salmon fishery in the Penobscot, the only river on the Atlantic coast of our country where salmon can be found in sufficient quantity to provide eggs to stock the exhausted rivers of our sister States. No salmon ever ascends above the tide-water dam at Bangor that is not a breeder seeking its spawning ground. These fish should

be protected. To be angled for with hook and line and bait or flies is all the license that should be permitted. But the law has been openly set at defiance. Parties from Massachusetts have been induced by the avarice of persons on the east branch of the Penobscot to participate in the felonious sport of netting our brood fish. Not only have the fish been netted, but dynamite has been and is used as an effective means of fishing, by the local poachers. Application was made to the last Legislature to again legalize netting two days in the week on the East Branch. The question was asked in response, "Would they guarantee to enforce the law if granted?" The reply was, "No!" The Penobscot can be made self-sustaining if the State will provide money to protect the salmon from destruction when above tide water. If not, then provision must be made for one million of salmon fry to be turned into the river and its tributaries annually. By adopting one or the other of these two methods alone, can the salmon in the Penobscot be preserved from utter extermination. The benefit to the inhabitants of the upper Penobscot from visiting sportmen to fly-fish for salmon, would far exceed in value all the salmon captured by net, spear and dynamite, while an equal opportunity is open to them to fish by legal methods with their visitors. The testimony of many men can be adduced in Bangor and Calais, who never dreamed of the possibility of taking a salmon with what was termed a *fish pole*, who are now converts to the rod and fly, and fierce opponents to any other methods above tide water, such is their enthusiasm for the newly-experienced delight of killing a salmon in a fair struggle of skill. Salmon do not spawn oftener than once in two years, a portion ascending the rivers each year. Since the enforcement of the law forbidding netting near the dams on the Penobscot and St. Croix rivers, the salmon collect at every tide in considerable numbers, undergoing a sort of preparatory acclimation before making a lengthened journey to their spawning grounds in the fresh water, thus affording excellent sport to the angler. Both the St. Croix and the Penobscot, if proper means of protec-

tion are furnished, will yield an increased revenue to the State from the advent of anglers to enjoy this noble sport, which with us is free to all.

The control and jurisdiction on the St. Croix is vested in the two Governments of Maine and New Brunswick. Happily the enlightened and liberal views of Mr. Frank Todd, the Dominion Fisheries officer at St. Stephen, is fully sustained by his Government. Perfect unanimity exists between the two Governments in the policy of protecting and stocking the St. Croix.

Our salmon planting in the Saco River has been a marked success. The first young fry were taken far up the river into New Hampshire and turned in in 1879. Other plantings have since been made at various points on the river, and in tributary streams. One planting of 100,000 has been made of eggs sent by us to the Commissioners of New Hampshire and hatched under their superintendence, the expense paid by us. This year, 1886, salmon of large size have appeared in considerable numbers at the mills at Saco, and at the dam at Bar Mills, where a fishway is urgently called for by the local inhabitants. Our stock of salmon eggs for 1885 was 600,000, for 100,000 of which we were indebted to Prof. Baird of the United States Commission of Fish and Fisheries. Of the hatched product of these eggs, we planted 260,000 in the Penobscot River, 100,000 in the Kennebec, 100,000 in the Saco River, 100,000 in the St. Croix; 40,000 were hatched by Mr. Lincoln of Dennysville, planted in the Denny's River. In 1886, or the present year, we have planted 1,200,000 salmon fry in the waters of Maine. Of this stock our ever generous friend, Prof. Baird, contributed 500,000. Our distribution of our young salmon was 700,000 to the Penobscot, 200,000 to the St. Croix, 100,000 to the Saco, 200,000 to the Kennebec. Of our salmon contributed to the St. Croix, Mr. Frank Todd of St. Stephen has always paid for the hatching and distribution of the fry. We should here state that the salmon works at Orland are a special benefit to the State of Maine, inasmuch as all the salmon

used there for spawning, are purchased from the fishermen at the same rates per pound that the market consumers pay. But while the other purchasers buy to eat, the Orland Salmon Works preserve their fish alive, and after having stripped them of their eggs in October and November, return them again, alive and healthy, to their native Penobscot waters.

LAND-LOCKED SALMON.

There are two varieties of this beautiful fish to be found in our State. The fish abounding in the chain of lakes known as Long Pond, Ship Pond and Sebec Lake, and other sources emptying into Pleasant River, all tributaries of the Piscataquis, a branch of the Penobscot, are similar in size and general appearance to those of Grand Lake Stream and the lakes of which it is the outlet. The average size of these fish is from two to three pounds. There is a large lake in Hancock County, known as Reed's Pond, that is noted for land-locked salmon similar in size to the noted fish of Sebago Lake. The Commissioners visited their newly-established experimental station on Crooked River recently, where in a collection of some three hundred fish, two-thirds of which were females, the average weight was estimated by experienced men, accustomed to the handling of fish at the Orland Salmon Works, at over ten pounds. One female fish weighed twenty-five pounds. A male fish of peculiar shape and beauty weighed twenty-seven pounds. The land-locked salmon has been found, to our knowledge, indigenous to no waters in Maine unaccompanied by the smelt, both evidently being land-locked fishes. The smelt seems to be their natural food, but what is of far greater importance, its young fill the place to the new-born progeny of the land-locked salmon, of milk to the young of animals. The land-locked salmon spawn in autumn, contemporaneous with the sea salmon. The smelt spawns in spring, and its young are born about the time the young of the land-locked salmon begin to forage for themselves. The smelt may be called one of the dwarf fishes, like the Red Fin, the Stickle

Back, the Black-Nosed Dace, etc., whose minute young seem designed to afford the first food to the fry of the large and and more valued class of fishes like the salmon. We have never known the land-locked salmon a marked success in any waters, unless there was a plentiful supply of the fry of dwarf spring-spawning fishes. If there have been marked failures, it has arisen from an insufficient supply of food adapted to the new-born fish. In Rangeley Lakes there are Red Fins, Black-Nosed Dace, and doubtless other dwarf fishes. The land-locked salmon is a success in Rangeley, as is evidenced by a fine show of large salmon at the spawning grounds near the village. Many land-locked salmon fry have been planted at Moosehead; the dwarf fishes are doubtless to be found there, but in both cases, at Rangeley and at Moosehead, we shall never be entirely satisfied with the plant until a strong colony of smelts is introduced into both waters. A foolish notion is widely entertained that a surplusage of fish food (or minnow food, perhaps, will be better understood) will injure the fly fishing. Just the contrary is the fact. Trout and salmon will rise to the fly even with minnows in their mouths. Fish love change and novelty as well as "white folks." Webb's Pond, in the town of Weld, is noted for its fine pickerel and trout. The tributary inlets of the pond are large and of swift running water over a gravelly and rocky bottom, affording abundant protection to the trout from the vile pickerel. The pond is full of smelts, indigenous to the locality. Ten years since we commenced stocking this pond with land-locked salmon. Some few of the fry we introduced were from Sebago salmon eggs, but the main supply was from Grand Lake Stream. The increase of these fish in their new locality is truly wonderful, many of all sizes from one to eight pounds being yearly taken on both fly and bait. In the spring of the present year, a spent male salmon was taken, that weighed eleven pounds and two ounces. This fish if in full condition must have weighed fifteen or sixteen pounds, probably more.

On a recent visit of the Commissioners to the pretty little village of Weld, they found the people quite elated over their

great run of salmon on the spawning grounds. We rode some distance, striking the Bowley Brook at quite a remote point from the lake. We then strolled along the banks of the stream, finding salmon in almost every pool where there was water enough to allow the fish to obtain access to it. It was at a season of almost unprecedented drought and the number of fish both surprised and delighted us. One would have thought the scarcity of water in the brook would have rendered the ascent of the fish to the distance we were from the pond insurmountable. The inhabitants are fully appreciative of the value of their beautiful lake and its fine salmon fishing.

Sebago Lake has been to us a great source of expense and trouble. More money for wardens to patrol the country infested by the poachers was required than we had the means to provide. Every water course required its guard. Our only resource to save the few salmon left in Sebago waters has been to build a weir stopping every fish as near the mouth of the river as possible, to take the spawn of every ascending salmon and hatch the product at a house built at a convenient point for the purpose, all to be turned back into Sebago waters. Sebago may thus be made one of the most popular fishing resorts in the country, and of inestimable value to Portland and all the railroads centering there. The demand upon us for land-locked salmon fry has been far in excess of our supply or its possibilities. In most cases the waters proposed to be stocked were entirely unsuitable. We trust the remarks we have made above as to the necessity of the progeny of some spring-spawning dwarf fishes, to supply their first, or what we have designated their milk food, will lead to more discrimination in applications in future. To this we will only add, that in every instance there must be spawning ground for the salmon, in either the inlet or the outlet of the proposed locality to be stocked.

We have referred to our being compelled to contrive some method of checking the poaching on Crooked River, which resulted in our device of the fence weir built directly across the river at the nearest accessible point to its mouth, with a plank

walk on top, to enable a man with a rake, to clear away any refuse collecting between the rails of the fence, endangering the safety of the structure from any suddenly occurring autumn freshet. From time immemorial the spearing of these fish has been the only method of taking them by the local inhabitants, and is continued down to the present day, until the fish have become almost extinct. Our weir has been amply sufficient to take and hold all the ascending fish. If the lake could now number one salmon to an acre of water, we should have required weirs capable of holding as many hundreds as we have now units. We copy from one of our previous reports a memorial to the Massachusetts Legislature, at the time that Maine was part of her territory, and for which we are indebted to J. F. Pratt, M. D., of Chelsea, Mass.

To the Honorable the Senate and the House of Representatives of the Commonwealth of Massachusetts, in General Court assembled:

The petition of the subscribers inhabiting near Crooked River humbly sheweth that in said river is a kind of trouts of an uncommon size, weighing from three to fourteen pounds. Some have been caught which weighed seventeen pounds. These fish run up the river in the months of September and October, but are scarce at all other times of the year. They have been, and might continue to be, very beneficial to all who inhabit near said river, which runs from a pond in Oxford, near Bethel southerly line; from thence it runs through said Oxford and through Waterford, a part of Norway and of Phillip's Gore, Otisfield, and a part of Raymondtown into a gore between Raymondtown and Flintston, where it falls into Songo River and with it into the Great Sebago Pond. These fish have for several years been prevented from passing up said river by weirs built wholly across the water by the inhabitants near the mouth thereof, and as there is no law to prevent them, they not only boast of having availed themselves of all the benefit of the fish in years past, but declare they are determined to do it in future, to the great injury of the other inhabitants above them, who have (or ought to have) equal right to the benefit of the fish. We therefore humbly request your Honours to take the case into your consideration, and to make a law for preventing the obstruction of these fish in said river and its connections

in the months of September and October, and as in duty bound will ever pray. [1800.]

(Signed)

ASAEI FOSTER,	ELEAZER BARTLETT,
OSGOOD CARLETON,	JOHN BARTLETT,
JONATHAN RIGGS,	JOHN KILBORN, JR.,
JOHN SCRIBNER,	WILLIAM SHATTUCK,
SIMON SCRIBNER,	DANIEL HOLDEN,
WILLOUGHBY SCRIBNER,	JOSEPH SCRIBNER,
THOMAS WIGHT,	TIMOTHY FERNALD,
DAVID RAY,	SAMUEL KNIGHT,
DAN MORSE,	JOSEPH MORSE,
MARK KNIGHT,	JOSEPH SPURR, JR.,
JONA MOOR,	SAMUEL SPURR,
OSGOOD WEST CARLETON,	DAVID THURSTON,
SPURR,	JOSHUA LEAVITT,
GEORGE PIERCE,	JOHN CARLETON,
ISAAC BARTLETT,	DAVID CARLETON,

Leave to bring in a bill.

The ruinous custom of spearing fish on their spawning beds, which is a savage, cowardly remnant of barbarism inherited from the Indians, is so wide-spread an evil in our State, that we know of no method so economical as the one we have adopted at Sebago of re-stocking and preserving our waters, and at the same time discouraging the destructive poaching methods. Every one of these criminal forms of wasting the needed food of the people, whether of girdling fruit trees, destroying fish with dynamite or on their spawning beds, crust-hunting game or in close time, should be punished by imprisonment as well as fines.

Our supply of land-locked salmon has ever been necessarily limited, inasmuch as our supply of spawning fish is limited. Of our sea salmon, our supply has no limit but our capacity to purchase. We can always buy at the weirs as many fish as we can find means of paying for, while at Grand Lake Stream our waters are limited, and the crop of fish is proportionate. A new field has been opened to us from our recent experiment at Crooked River, Sebago Lake, the large size of our fish taken there yielding many hundreds of eggs per fish more than those at Grand Lake Stream. We

anticipated taking but few fish from which to obtain eggs, inasmuch as there are left but few fish in the lake, but our surprise was great when those few fish by their large average size of ten pounds to all taken, yielded us the unlooked-for result of 1,000,000 eggs. It may be worthy of note that one female fish in our preserve or pen weighed twenty-five pounds. One huge male fish of wonderful beauty weighed twenty-seven pounds. From the present flattering point of view appearances would indicate that we may here look for our future supply of land-locked salmon eggs of increased numbers and less expenditure. Our supply of Grand Lake Stream or Schoodic salmon eggs for 1885 was 230,000. Of these 75,000 were hatched at Rangeley, 80,000 at Enfield, 75,000 at Weld, and distributed at varied points where the applications were most imperative and the localities unquestionable. In the present year of 1886 we had a return of 153,600 as our portion from the Grand Lake Works. Of the distribution of the young fry, 60,000 were hatched at Moosehead and planted by Mr. O. A. Den-
nen; 23,000 at Bridgton and planted in Peabody Pond, Sebago waters; at Weld, 60,000 were hatched—20,000 were planted in Auburn Lake, 15,000 in Wilton Pond, 10,000 in Horn Pond in Limington, and the balance in Weld Pond.

BLACK BASS.

We have still more applications for black bass than we can supply, either from disapproval of the place sought to be stocked, or want of time and means to gratify the wishes of others when there are no fish of value to be jeopardized. From the restless spirit of our people, which destroyed some of the best trout waters in Maine by introducing the pickerel, applications will now be made to repeal the close time on black bass and white perch. The black bass breeds no faster than the white perch, and is no more of a predatory fish, but the black bass pair off and make their nests on the bottom of the ponds and do not afford the easy prey to the netter that does the white perch, that rush to the brooks in large schools,

where they are easily swept up by the poacher. We most desire to protect the white perch, which we most esteem. We would respectfully suggest that if the close time be reduced from the first day of July to the first day of June it would best meet the views of all.

We had written thus far in our report when the story of the foul murder of Hill and Niles reached us. We must confess that we were prepared for this culmination of the lax administration of justice in our State. It is but two years since that a murder as cool and unprovoked here in our State was punished with but one year imprisonment. Killing a man, to these desperate vagabonds, is but removing a troublesome rival, an importunate creditor, or a feared official. The slight punishment is not much when the advantage gained is weighed in the balance of profit. Our game laws are fair and impartial to all. They only seek to protect the game when it is breeding, or when nursing its young, or when recuperating after the season is passed. It is merely sought to insure to the working man, whether at manual labor, or at the desk, or counter, or factory, or saw mill, an equal right to his share of what belongs equally to all. By what right do these men abandon that work by which the members of the social world earn their bread, and claim authority to kill and sell that which belongs to the State, and which the State gives equally to all upon conditions to be fulfilled before legal title to the same can be acquired? By what right do certain men conspire together to seduce visitors at our summer resorts to break our laws and kill our game? With bated breath the inhabitants inform us of the outrages of these men, but always pleading that we will not give their names, as they fear the threats of personal violence, of life, of burned barns, or tracts of forest fired. The whole community, the whole State, stands in awe of these vicious, dangerous outlaws. The very men whom they entice to break our laws are cheated. We have known some of these very fellows, after earning five dollars per day from some deluded summer tourist in vain pursuit of moose or deer in close time, to spend the spring

in slaughtering the very game by which they earn their largest harvest of ready money by wages. We have found *thirteen hides* of crust-hunted moose in the tent of one noted guide, whose services are sought by every summer visitor at Moosehead Lake. If our visitors will be loyal to honour and justice, the laws of hospitality, they will aid us by giving information against these traitor scoundrels. Our very wealthiest lumber operators stand in terror of them. For such men as Graves and McFarland, are Burlington, and Ellsworth, and Rockland, and Calais, and Bangor responsible, for in those places have always been found men ready to buy and ship their game for them. Above all is Portland guilty, for there are to be found the agents to ship more of the game birds of our State in the interest of Boston markets than from any other source. We appeal to every true man in New England to aid us in sustaining our fish and game laws, for they are impartial and equitable; made in favor of no one class; made expressly for our own citizens, but extending the same rights to the humblest visitor who may come among us as to the most distinguished or wealthy.

DEER.

There has been a wonderful increase in the numbers of our deer, attributable as well to the diminished exportation from limiting the number to be killed by individuals, as to the law against hunting with dogs. Were there no other reason for the law against dogs, it would be found in the unusual number of lakes and ponds that dimple the entire surface of our State, that would inevitably lead to the destruction of every deer. To kill a deer in the water is about as brave a deed as to shoot a calf in a pen. There is something so pitiful in the cruelty of driving a deer into the water with dogs, and then in the craze of their terror and bewilderment to slaughter them, and by the very hand from which they would seek protection! Can one conceive of women engaging in this sport? Of such cases we have evidence this last season at Nicasious Lake. We have

spoken of the increase of our deer. They seem, contrary to their former habit, to be equally distributed almost all over the State. Formerly certain districts were entirely abandoned by them, owing to the terror of the wolves then quite common, and compelling them to seek the counties nearer civilization. The wolf is now extinct in our State, and the deer are to be found in every county. The Dominion of Canada has passed a non-exportation law for venison and grouse. How long will the fish and game of Maine last if our forest and streams are opened to the demands of the markets of Boston and New York? Have we not all witnessed the desolation of the western plains, to which the territory of Maine compares but as a small township? And yet this is the issue before us. Give us the aid of every loyal man in the State. Give us the aid of every loyal sportsman in the country, or submit to the reign of such butchers as Graves and McFarland. We require a square non-exportation law. There are enough deer for all, and the law has made a fair apportionment of three for each; this is enough. No one man should be allowed to make a business of killing and selling that which equally belongs to all. One moose, two caribou, and three deer is the apportionment made by our Legislature for each. The running of deer by dogs is intended to insure their slaughter without any work or skill on the part of the hunter. Every deer in a county can thus be killed by a few men banded together. The law should be amended by making it punishable with fine and imprisonment to kill a *deer in the water* as well as hunting and killing with dogs.

MOOSE AND CARIBOU.

Many moose have doubtless migrated into our State from other forests, but there has been a very marked increase in their numbers in our own woods. Notwithstanding this one favorable feature, we fear their early and utter extermination unless the Legislature will give us both money for enforcement, and laws to control. The slaughter of moose of all

ages and sexes the last two years by crust-hunting poachers, has been most pitiful. Thirteen moose hides taken last spring by one Indian guide were lately found in his possession. The high market value of the moose skin is as great a temptation to the idle, vagabond poacher, as is a well-filled safe to his brother scoundrel, the professional cracksman. While many of the sportsmen who visit our State are gentlemen in the true sense of the term, and rigidly obey our laws, others are amenable to no law, but boldly offer to pay the penalty for destroying our moose in close time if caught, thus tempting and demoralizing our guides. These men are pretty generally picked up in a year or two by our wardens, and made to pay the penalty. Many of the guides, all who are Indians, after earning good wages from their employers, and after the season is over, seek out the wintering yards of the moose, and in the snow-crust of spring, slaughter all, even down to the worthless calf. If the yard is handy to a winter camp of lumbermen, the meat is sold. If far away, they are killed for the skins alone. The whites and Indians, both our own or neighboring scoundrels, are engaged in this destruction of our moose. The few bulls killed by our visiting sportsmen would never exterminate the race, for rarely is a cow moose killed, as they do not come to the call of the hunter. It is the destruction of the cows by the crust-hunter that is to lead to their utter extermination, if not summarily stopped by the enforcement of severe laws. A penalty of \$500 and six months imprisonment should be the mildest punishment for killing a cow moose *at any time*. We think a term of imprisonment should be added to all our penalties, as the bearing of the money penalty is necessarily unequal in its application to all criminals. The wealthy come here and employ a guide to break the law, promising to pay for all infractions. The poor man is more severely punished by a dollar fine than the wealthy by a hundred dollars. In these cases imprisonment cures the evil. Our laws forbid hunting our deer with dogs. Many of our visitors have the hardihood to bring hounds with them into

our State, boldly acknowledging they intend to break our laws. Will not our Legislature give us the means to punish this insulting defiance to our State laws? Give us a law that will compel them to give a bond of \$100 for each and every dog, with two resident sureties, or deposit that amount in the hands of the city marshal or the game warden or one of the commissioners, the money to be forfeited if the dogs are used for illegal purposes or sold within the State.

Of caribou it is difficult to make any estimate of increase or decrease. The reports to us are of plenty and in all sections. We have heard of many being killed, but of all our game animals the caribou is the most capable of taking care of itself. But still, in all changes of our laws for venison we wish to have caribou included.

We have expressed our earnest desire that the law in relation to moose should be so altered that it be made penal in the sum of five hundred dollars and a term of imprisonment to kill a cow or a yearling moose at any time. In conclusion we would respectfully suggest that the open season for moose, caribou and deer should be so changed as to include the month of September, dating the close time either from the first day of December, or as at present, from the last day of December.

GAME BIRDS AND SONG BIRDS.

Of our birds we regret that we have nothing favorable to report. The exportation of our game by means of the agents of Boston markets at either Portland or on board steamers or coasting vessels continues. We know of nothing but adding imprisonment to all our penalties, that will deter avaricious and unprincipled men. Judas Iscariot would be deemed of rather fastidious honour by our game dealers. Some varieties of our birds have become almost extinct by the wretched practice of spring shooting. Casting aside humanity, mercy, every attribute of sentiment, was there ever, in the light of economy and common sense, a more absurd

law than to permit the very birds we are trying to increase in numbers by protection, to be shot when they return to their breeding homes to seek places to nest and rear their young? The netting of ducks in our ponds, as well as fish, is an almost universal practice with the professional poachers of our State. The two murderers, Graves and McFarland, have been in the hands of our wardens for netting ducks and dogging deer. Every remote section has its duck netters. Numberless sheets of water rarely visited saving by some summer tourist, have their vagabond netters. All these birds would be liable to seizure if bearing no marks of having been killed by fair shooting. Even this test is now imitated by an instrument made expressly for the purpose; this is applied to the head and neck and other parts of the body, to punch holes imitating shot holes. A mania among the idle seems to prevail to make a specialty of destruction to everything that can be converted to money without work, or that does not involve methodical industry. Even our very barn swallows, that live entirely on mosquitoes and black-flies, have been sacrificed by the shooting loafers, for the few feathers of the breast that find favour with the milliners. The tern and other harmless sea-birds of our coast, that enliven the solitary hours of our island homes or our light-house guardians, have become the objects of slaughter by both Indians and whites. Might not Congress pass a law covering our whole coast and giving light-house keepers, revenue officers, etc., powers of enforcement?

Respectfully submitted.

E. M. STILWELL,
HENRY O. STANLEY.