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GEORGIA

Department of Game and Fish.

BULLETIN NO. 1.

LAWS OF GEORGIA

For the Protection of Game, Birds and Fish. In-
structions to Wardens and Suggestions to the Public.



— BY —

JESSE E. MERCER,

State Game and Fish Commissioner.

FITZGERALD, GEORGIA.

December, 1911.

James Earl Ray

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STATE GAME AND FISH DEPARTMENT.

The Commissioner invokes the vigilance of Wardens, the assistance of Sportsmen, and the good will of all Law-abiding Citizens in securing the enforcement of the New Game and Fish Law.

I will appreciate the interest of any good citizen of Georgia who in the name of Law Enforcement will report to this office, County Wardens or Deputies any infractions that may come under his observation, and such information will be treated inviolate.

Signed,

JESSE E. MERCER,

Commissioner.

(Fitzgerald, Ga., Nov. 25th, 1911.)

Department of Game and Fish Established.

AN ACT for the protection of game animals and birds and fish; to establish the Department of Game and Fish; to declare what shall be game animals and birds; to provide for the appointment of a State Game and Fish Commissioner, and the appointment of Wardens and Deputy Wardens, prescribing their duties and their purposes, and to provide penalties for violations of this Act.

Section 1. DEPARTMENT OF GAME AND FISH. COMMISSIONERS' TERM OF OFFICE.

Be it enacted by the General Assembly of Georgia, That the department of game and fish be established, to be in charge of the game and fish commissioner, who shall be appointed by the governor, and the term of whose office shall be for a period of two years, beginning September 1, 1911, or until his successor is appointed and qualified. Any vacancy in this office by death or otherwise shall be appointed by the governor.

Section 2. COMMISSIONER'S SALARY.

Said commissioner shall receive a salary of not exceeding \$2,000 per annum, payable alone out of the fund hereinafter mentioned, and provided by virtue of this act, and he shall give his entire time to the service of the state as such game and fish commissioner.

Section 3. COMMISSIONER'S DUTIES. BOOKS AND ACCOUNTS; SEAL OF OFFICE.

Said commissioner shall give bond in the sum of \$4,000 payable to the governor of the state, with two or more solvent securities, conditioned for the faithful performance of the duties of his office and a proper accounting of all moneys that may come into his hands as commissioner. He shall keep a public record correctly disclosing all moneys received and expended, the number of hunter's licenses, the number of wardens employed, with their names, and counties in which they serve. Also the name of each person prosecuted for violation of this act, with the amount of fines imposed and collected in each case, and all such other information as may be necessary

to the affairs of the department. The books and accounts of said commissioner shall be audited in the same way as other books and accounts of the other departments of the state are audited. He shall have a seal of office.

Section 4.—COMMISSIONERS TO SEE

THAT PRESENT LAWS AND FUTURE LAWS ENACTED ARE OBSERVED;
SEIZE GAME AND BIRDS ; WARDENS AUTHORIZED TO
SERVE CRIMINAL PROCESS.

It shall be the duty of said commissioner to see that the laws now or hereafter enacted for the protection, propagation and preservation of game animals, game birds or other birds and fish in this state are observed, and that violations of said laws are promptly and speedily prosecuted. It shall be his duty to seize or cause to be seized game birds, or other animals and fish caught or killed at a time or in a manner, or which have been shipped, contrary to the provisions of this act. Such game or fish so seized shall be donated to some charitable institution in this state, except live game birds, animals or fish, which shall be liberated. He shall, with wardens and deputy wardens and ex-officio wardens, be authorized to serve all criminal process for violations of this act which could be served by the sheriff and constables of this state.

Section 5. COMMISSIONER TO APPOINT COUNTY WARDENS.

WARDEN'S DUTIES, PER DIEM AND FEES; SHARE OF FINES;
WARDEN'S RECORDS IN CLERK'S OFFICE.

He shall appoint game and fish wardens and deputy wardens in each county of this state, such appointees to hold their office for the term of two years unless sooner removed for cause by the commissioner. Such wardens and deputy wardens shall enforce all the provisions of this act and all other laws in reference to game and fish in their respective counties. Such wardens and deputy wardens shall receive three dollars per day while acting under the special directions of the commissioner, with reference to the discharge of their duties, which sum shall be paid out of the game protection fund provided for by this act. Each county warden shall receive one-fourth of all fines and forfeitures and penalties collected in the county in which he holds office imposed for violation of this act, where he does not furnish the evidence necessary to convict. If he does arrest, or cause the arrest, and furnish the evidence necessary to convict then he shall have three-fourths of such fines, forfeitures and penalties. Any person arresting or causing to be arrested of-

fenders under this Act and furnishing the evidence necessary to convict such offenders shall receive one-half of fines, forfeitures and penalties imposed and collected from such offenders and legal fees paid to constables. The remaining portion of fines imposed and collected shall be forwarded to the state game commissioner and by him turned into the treasury to the credit of the game protection fund. The county warden shall receive twenty-five cents for each county license issued by him, one dollar for each state license and three dollars for each non-resident license issued by him.

All county wardens shall keep a record in the office of the clerk of the court in their respective counties, which record shall be open to the public, giving names of all parties holding resident, county and state license and non-resident state license issued by him. This record shall also show the names, offences and fines imposed on all persons convicted for a violation of the fish or game laws of this state in the county of his jurisdiction.

Section 6. LICENSES, HOW ISSUED, DESCRIPTION.

FEES REMITTED--HUNTING AND FISHING ON OWN LAND AND MILITIA DISTRICT.

Any resident of the state may procure a license to hunt in his resident county upon the payment of the sum of one dollar. License to such resident shall be issued authorizing him to hunt throughout the state upon the payment of three dollars. Licenses shall be issued to non-residents of the state upon the payment of the sum of fifteen dollars, which shall authorize such non-residents to hunt throughout the state. All licenses shall bear the date of issuance if the license is issued in the open season, and shall authorize the person named therein to hunt during the then open season, and if issued in the closed season shall authorize said person to hunt during the next succeeding open season. Such licenses shall be signed by the commissioner and countersigned by the game warden of the county in which the license is issued and numbered. It shall contain the residence, age, sex and postoffice address of the person to whom issued; also shall state the race, approximate height and weight, and the color of the applicant's hair and eyes. The license fees, less the warden's fees, shall be remitted by the warden to the commissioner not later than the first of the following month. A person may hunt or fish in the open season in his own militia district or on his own land without a license. Tenants and their families by and with permission of the owner of the land shall be permitted to

hunt and fish on the lands leased and rented by them without a license. All licenses shall terminate on the first day of February following the date of issuance.

Section 7. LAND OWNER'S PERMISSION ALWAYS REQUIRED.

No person shall hunt or fish upon the lands of another with or without license without first having obtained permission from such land owner.

Section 8. GAME PROTECTION FUND.

SURPLUS TO GO TO SCHOOL FUND.

All moneys received by the commissioner arising under this act shall constitute a fund known as the game protection fund, and shall be devoted to the payment of the salary of the commissioner, his necessary incidental expenses and the salary of the game wardens and deputy wardens when acting under the special instructions from him. Such salaries and expenses shall not be a charge upon the state funds, nor payable out of any other fund than the game protection fund. No voucher for said salaries or expenses shall be paid unless there shall be at the time sufficient money to the credit of said fund in the treasury. If there should be any money in the treasury at the end of the year to the credit of the game protection fund the account so remaining shall become a part of the public school fund of the state.

Section 9. CLERKS OF COURT TO REPORT TO COMMISSIONER.

The clerk of each court in which prosecutions may be instituted for violations of this act shall promptly report to the commissioner the result of said trial and the amount of fines, forfeitures and penalties collected, which said sum shall, after the deductions mentioned in section 5 of this act, be forwarded to the game commissioner and be placed to the credit of the game protection fund.

Section 10. JUDGES SHALL CHARGE GRAND JURIES.

It shall be the duty of the various judges of the superior courts to specially mention in their charges to their respective grand juries the provisions of this act.

Section 11. GAME BIRDS AND ANIMALS NAMED.

The following shall be deemed game birds and animals: Quail, commonly known as Bob White Partridges, doves, snipe, woodcocks and curlews, wild turkeys, grouse, pheasants, deer, squirrels and summer or wood duck.

Section 12. MISDEMEANOR TO PURCHASE OR SELL OR OFFER TO SELL.

Any person who shall purchase or sell, or export for sale, or offer to sell any of the game birds or animals named in section 11 of this act shall be guilty of a misdemeanor, and upon conviction punished by a fine of not less than ten nor more than one hundred dollars, and all costs for each offense, or to work on the public works not less than five nor more than thirty days, and any one or more of these punishments may be ordered in the discretion of the judge.

Section 13. TRANSPORTATION FORBIDDEN.

NESTS AND EGGS PROTECTED.

Any person who shall transport or ship, or offer to transport or ship, any of the game birds or animals mentioned in section 11 of this act, without the limits of the state, or from the county in which the game was killed into another county in this state, or who shall sell or offer for sale, or purchase or offer to purchase any part of the plumage, skin or body of any of the game birds or animals mentioned in section 11 or who shall take or willfully destroy the nests or eggs of any of said birds, shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by section 12 of this act; provided it shall be lawful for any person duly authorized to hunt to personally transport, openly, the game actually killed by him from the county in which it was killed to any county of this state, or without the state, but the person killing said game must in each instance accompany the game so killed. Each person hunting shall carry with him his license and exhibit the same promptly upon request of any game warden or deputy warden or ex-officio warden.

Section 14. OPEN SEASON DEFINED.

POSSESSION A CRIME.

DOVE BAITING FORBIDDEN—INCREASED PENALTY.

Any person who shall hunt, kill or destroy by any means whatsoever or who is in possession of the following named birds or animals, except between the following dates, shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed in section 12 of this act: Quail, commonly known as Bob White partridges, doves, wild turkey gobblers, plovers, from December 1st to March 1st following, snipe from December 1 to May 1 following; wood-cock, summer or wood duck, from Dec. 1 to Jan. 1 following; deer, fox squirrels and gray squirrels from October 1 to January 1

following of each year. It shall be unlawful any time of the year to scatter upon the lands of any person, whether it be the owner of the land or not, any corn, wheat or grain or other bait for the purpose of drawing to the lands where such bait are scattered or placed, game birds or doves, for the purpose of shooting or allowing to be shot at, or killing such game birds or doves at or near such lands so baited, and it shall be unlawful for any person to shoot at or kill any dove or other game bird at, upon, over or near any land baited or baited field or land, and for a violation of this provision such person or persons shall be guilty of a misdemeanor and punished as prescribed in section 1065 of criminal code.

Section 15. THREE DEER, THREE TURKEYS SEASON LIMIT.

TWENTY FIVE GAME BIRDS, FORTY SNIPE OR DOVES BAG LIMIT.

During the open season no one person shall be authorized to kill more than three male deer, nor more than three wild turkey gobblers during any one season. Nor more than twenty-five game birds of any one specie in any one day, except snipe or doves, of which one person may kill forty in one day. Any person violating this section shall be guilty of a misdemeanor and punished as prescribed in section 12 of this act.

Section 16. PHEASANT, GROUSE, DOE, TURKEY HENS.

PROTECTED FIVE YEARS.

Any person who shall catch or kill any wild pheasant, grouse, wild doe or fawn, or wild turkey hens, or any imported game birds or game animals prior to December 1, 1916, shall be guilty of a misdemeanor and upon conviction, punished as prescribed in section 12 of this act.

Section 17. SNARES, NETS, POISON FORBIDDEN.

Any person who shall at any time kill or capture or wound any game bird or animal by the use of any pitfall, deadfall, snare, trap, net, pen or other device, or by the use of any poison, drug or explosive, or who shall hunt, catch, or kill any game birds or animals at night shall be guilty of a misdemeanor, and upon conviction punished as is prescribed in section 12 of this act.

Section 18. LICENSE AND CONSENT NECESSARY

Any person who shall hunt without first obtaining a license, except on his own land, or in his own militia district, or who lends or transfers his license to another, or who shall hunt upon the lands

of another without first having obtained his consent to do so, except persons following hounds in pursuit of foxes or deer, or any other animals not mentioned in this act, shall be guilty of a misdemeanor, and upon conviction, punished as prescribed in section 12 of this act.

Section 19.—COMMON CARRIER SHALL NOT SHIP.

Any common carrier who shall ship or transfer or carry any game bird or animal without the limits of this state shall be guilty of a misdemeanor and upon conviction, punished as prescribed in section 12 of this act; provided the terms of this section shall not apply to game in the personal possession of the party killing the same, provided such party has obtained a license then of force.

Section 20.—AGENTS OF COMMON CARRIERS SHALL NOT HANDLE

Any agent or employee of a common carrier who shall receive any game birds or animals for shipment without the state, or from one county to another within this state, shall be guilty of a misdemeanor, and upon conviction, punished as prescribed in section 12 of this act.

Section 21.—PENALTY FOR WARDENS AND DEPUTIES.

Any warden, deputy warden or ex-officio warden who shall fail to perform any act or duty placed upon him by this act shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed in section 12 of this act.

Section 22.—MONEY TO BE DEPOSITED TO THE CREDIT OF GAME PROTECTION FUND.

All monies received by the commissioner arising from the provisions of this act shall be deposited in the state treasury to the credit of the game protection fund, and said fund shall not be drawn upon or used for any purpose save such as is designated in this act.

Section 23.—ALL BIRDS PROTECTED—EXCEPTIONS.

It shall be unlawful for any person in this state to kill, catch or have in his possession any wild non-game bird, or to take or destroy the nest or eggs of any non-game bird, or to have the same in his or her possession. Such persons violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction,

punished as is prescribed in section 12 of this act; provided this section shall not apply to the following birds: English sparrows, owls, hawks, eagles, crows and rice birds, except persons may ship into this state birds mounted for millinery purposes.

Section 24. WARDENS TO ENFORCE FISH LAWS.

The game commissioner and wardens shall see that the laws pertaining to fish are rigidly enforced.

Section 25. All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED AUGUST 21, 1911.

(Tenth Division—Article 35—Page 119, Criminal Code.)

Terrapins, Turtles, Fish and Oysters.

Section 595. TIME WITHIN WHICH TERRAPINS MAYBE CAPTURED.

If any person shall capture terrapins in any of the rivers, estuaries, bays, sounds, creeks, or tide-waters of this State, by means of seines, nets, traps, or other device, from the first day of March to the twenty-fifth day of July, he shall be guilty of a misdemeanor.

Section 596. FEMALE TERRAPINS OF CERTAIN SIZE NOT TO BE CAPTURED.

No person shall capture in any manner, or at any time, female terrapins of a less size than five and one half inches, measured lengthwise on the lower shell; and when any such terrapins are caught, they shall be at once returned to the waters from which they were taken. The violation of this section shall be a misdemeanor.

Section 597. EVIDENCE AND EXCEPTION.

It shall be prima facie evidence of a violation of the provisions of the two preceding sections for any person, or persons to be found in possession of any terrapin of a less size than five and one half inches, measured lengthwise on the lower shell, at any season of the year, or of any terrapin of any kind between the first of March

and the 25th of July; provided, that nothing in this section shall be so construed as to apply to persons owning and maintaining a bona fide and duly established terrapin crawl, or pen in which terrapins may be kept for the purpose of raising and cultivation.

Section 598. REGULATIONS AS TO NETS.

If any person shall at any time use any seine, net, trap, or other device for the capture of terrapins, with meshes or openings smaller than five and one half inches stretched, or four and one fourth inches loose measure, he shall be guilty of a misdemeanor.

Section 599. TURTLES, WHEN TO BE TAKEN.

If any person shall take turtles within tide-water at any time other than from the first day of May to the first day of September, he shall be punished as for a misdemeanor.

Section 600. FISHING REGULATED.

No person shall inhabit, occupy, or reside in any vessel, ark, or flat on any river of this State, which shall not be engaged in the lawful commerce of said river in the carriage of goods or produce to or from market, unless owned by the proprietors of the shores, or their lessees; provided, nothing in this section shall be construed to prevent the owners of the land on said rivers, or their lessees, from taking fish in the river opposite their banks; but no seine shall be permitted to be used in said river either by such owners or lessees, from twelve o'clock Saturday night to twelve o'clock Sunday night; and provided also, that every lease or license to fish shall be recorded within ten days after the granting thereof in the clerk's office of the superior court of the county where the land lies. A violation of any of the foregoing provisions shall be punished as for a misdemeanor.

601. ILLEGAL FISHING.

No person, other than the proprietors of the shores and banks of salt creeks, estuaries, and rivers, (or such person as shall be by any such proprietor authorized,) shall take fish, or attempt to do so, with any line, net, or contrivance, on any estuary, or river, where an artificial shell-reef, beds or fishing grounds have been constructed within one hundred yards thereof. Nor shall one proprietor construct or use such places opposite the shore or bank of another proprietor beyond the center of creek, estuary, or river opposite his own shore or bank. Any person violating the provisions of this section shall be guilty of a misdemeanor.

Section 602 TRAPS, ETC., UNLAWFUL, EXCEPT BY CONSENT.

If any person shall put any trap, wire, trot-line, set-line, or other like contrivances, for catching fish for sale, in any of the lakes or other waters of the State, upon or within the lands of another, without the written consent of the owner thereof, he shall be guilty of a misdemeanor.

Section 603. OBSTRUCTING PASSAGE OF FISH.

If any person shall place in the waters of any river or creek, or any fresh water drain, any dam, trap, net, seine, or other device for catching fish, unless the main channel of such stream is left open for a space of ten feet for rivers and one third channel of creek, at low-water mark, unobstructed for the free passage of fish up or down such stream, he shall be guilty of a misdemeanor, and the sheriff of the county, upon complaint of persons in the territory of such obstruction shall have authority to break and open any dam, net, or other obstruction that may be placed in such waters in violation of this section. This section does not apply to dams for milling or manufacturing purposes. The words "low-water mark" shall not apply to fresh water drains.

Section 604. KILLING FISH WITH DYNAMITE, OR FIREARMS.

If any person shall use fire-arms, dynamite, or other explosive or destructive substances for the purpose of killing fish, he shall be guilty of a misdemeanor.

Section 605. NETS, ETC., EXTENDING TO OR OBSTRUCTING MORE THAN ONE HALF THE STREAM.

If any person shall use nets, seines, or other contrivances covering, extending to, or obstructing more than one half of the stream, for catching or taking shad in any of the streams of this State, he shall be guilty of a misdemeanor.

Section 606 CLOSED TIME AND MESHES OF NETS FOR SHAD.

There shall be a "closed time" in the rivers in which shad are caught, of forty-eight hours, commencing at sunrise on Monday morning of the next week, during which "closed time" no shad or other migratory fish shall be caught by nets, wires, pounds, or any other means whatever; neither shall such nets, wires, pounds, or other apparatus be left in said rivers during said "closed time." The meshes of nets or other apparatus for catching said fish shall not be less than five inches.

Section 607. WHEN SHAD SHALL BE TAKEN.

No shad shall be taken, except between the first day of January and the twentieth day of April of each year, except for spawning purposes, to carry out the provisions of the law for propagating fish.

Section 608. PENALTY.

A violation of either of the two preceding sections shall be a misdemeanor.

Section 609. SEINING OR NETTING FOR MOUNTAIN TROUT.

If any person shall seine or net for fish in any of the streams in which mountain trout exist, or are placed, he shall be guilty of a misdemeanor.

Section 611. POISONING FISH.

Any person who shall directly by himself, or by aiding or abetting others, put walnut hulls, walnut leaves, devil shoestring, or any poisonous substance whatever of any kind in any waters, either running streams or standing waters, such as lakes, ponds, or eddy places in any river or creek within the limits of this State, which will be likely to drive away or poison the fish therein by contaminating said waters, shall be guilty of a misdemeanor.

Section 612.—CLOSED PERIOD—SEINES, NETS, GIGS, SPEARS

If any person shall catch or take any fish with seine, net, gig, or spear, or like device from any of the waters of this State, between the first day of February and the first day of July in each year, except with hook and line, he shall be guilty of a misdemeanor.

Section 613.—SHAD.

In the case of shad the above prohibition as to dates shall apply only between the 15th of April and the 1st of July.

Section 614. DRIFT-NETS, WHEN THEY SHALL NOT BE USED.

Whoever shall catch any shad or other fish, or use for the purpose of catching shad or other fish, in any of the waters of this state, any net or nets known as drift-nets, between the hours commencing at sundown on Thursday of each week and ending at sunrise on Monday morning of the next week, shall be guilty of a misdemeanor.

Section 615. TIME FOR TAKING OYSTERS.

If any person shall prick, tong, dredge or in any other manner take or catch oysters from any of the waters of this state, except from private beds, from the first of May to the thirty-first day of August, inclusive, except for the purpose of replanting the same in the waters of this state, or shall take them for any purpose during any season from one hour after sunset on Saturdays until one hour before sunrise on the succeeding Mondays, he shall be guilty of a misdemeanor.

Section 616. UNLAWFUL TO ROUGH TAKE OYSTERS.

If any person shall "rough" take or catch oysters from any of the public beds within the waters of this state, unless the same shall be culled over the beds from which they may be taken, except when the weather is such as to render it dangerous to remain at the beds, he shall be guilty of a misdemeanor. This section shall not apply to the taking of oysters for the purpose of replanting the same in any of the waters of this state.

Section 617. REMOVING OYSTERS FROM PRIVATE BEDS, OR
REMOVING OYSTER-MARKS.

If any person shall, without authority from the owner, take or catch any oysters from any private bed, or remove or deface any oyster-marks, he shall be guilty of a misdemeanor.

Section 618. HOW OYSTERS MAY BE TAKEN.

If any person shall take or catch oysters by the use of any other instrument than the oyster tongs heretofore in general use for taking oysters, within the waters less than one-thousand feet distance from the shore-line at ordinary mean low tide, he shall be guilty of a misdemeanor.

Section 619. EXCEPTIONS.

The foregoing section does not apply to oysters taken by any means from private beds by the owner or lessee thereof. Nor does it apply to oysters taken from unleased territory within said limits, for the purposes of transplanting to other beds in this state, with the consent and approval of the ordinary and board of county commissioners as provided by law.

Section 620. CERTAIN PERSONS SHALL NOT PROCURE OYSTER BEDS IN THIS STATE.

If any person, corporation, or agents thereof, who are engaged in any other state in the business of shipping or canning oysters, shall procure oyster beds of this state, it shall be a misdemeanor.

Section 621. TONGING OR CATCHING AT NIGHT.

If any person shall tong or catch oysters between sunset and sunrise, unless an unobstructed light, six feet above the gunwale, be carried on board the boat used for such purpose, he shall be guilty of a misdemeanor.

Section 590. O'POSSUMS.

If any person shall hunt or catch o'possum between the first day of March and the first day of October of each year, he shall be guilty of a misdemeanor.



Sportsmen and the New Law.

Georgia has been a little slower than her sister states in the matter of game protection. All the states of the union, except Florida and Mississippi, have laws similar to ours or more stringent; and they are easily and evenly enforced as soon as the people fully understand their purport and come to know the merits of the new system. The laws that have been upon our statute books for several years have been constantly and conspicuously violated, mainly for the reason that there was no organized effort to enforce them; of course every good citizen wanted to see the birds and game protected; but when the average citizen realized that the "pot hunter" and "game hog" were taking advantage of his respect for the law the sportsman himself joined in the general slaughter, which has gone on until some of our game, turkey and deer in particular, are almost extinct. But the enforcement of the present statute, which is guaranteed by the warden system, will soon restore the normal condition in field and stream.

The Law and the Land Owner.

The new law is aimed primarily at the "game hog," who is not satisfied with a reasonable amount of game; and the "pot hunter," who scours the woods and drags the streams in search of game and fish for the market, and who has no regard for the law, or the rights of the land owners; who tears down or shoots down the trespass notices and who would soon entirely destroy the most desirable game. Under the new law everybody's land is "posted," and it is a crime for any man to go on the lands of another for the purpose of hunting without the land owner's consent. The land owner is relieved of the embarrassment of the prosecutions by the machinery of the present law, which requires the wardens and deputy wardens to act. A land owner may not be willing to see his game and fish killed, caught and destroyed by others, and yet not be disposed to prosecute, even call the matter to the attention of the grand jury, and the new law relieves him of that necessity. The law is automatic and provides strong inducements in the form of fees and fines, and in addition makes it a misdemeanor for warden or deputy warden to fail in his duty.

Poisoning and Dynamiting Fish.

Probably the ugliest crime connected with the destruction of game and fish, and one that is devoid of the semblance of sport, is the practice of poisoning the waters, or dynamiting the ponds and streams, destroying all life for the sake of a day's supply of fish. For a mess of flesh many average citizens have been thoughtless enough to at least aid and abet in this inexcusable practice. IT WILL BE THE POLICY OF THIS DEPARTMENT TO RELENTLESSLY HUNT DOWN AND VIGOROUSLY PROSECUTE EVERY PERSON PARTICIPATING IN SUCH INFRACCTIONS OF THE LAW THAT COMES TO OUR KNOWLEDGE. And the department should have the assistance and encouragement of every good citizen in checking this tremendous draft on the supply of fish; and to restore a normal condition, which is that of an abundant supply of fish in every stream of the state.

Dove Baiting.

Next to dynamiting fish is the barbarous practice of baiting doves and slaughtering them by the thousand. Certainly it is great sport, but the fascination leads to the destruction of large numbers, often five and six thousand in a single morning in one small field, a wanton destruction of one of the finest of game birds. But let us hope that that has become a reminiscence, that it has passed into history, to be remembered by future generations as a species of barbarism. It must not be attempted in Georgia now, and every warden or deputy warden who fails to do his duty in bringing into court those who infract this wholesome provision of the law will surely receive the censure of this office; and every good citizen who fails will be censured by a quickened conscience. Let's have no more dove baiting in Georgia.

The Protection of Migratory Birds.

There are those who claim that because doves are of a migratory nature that to kill them in large quantities does not materially effect the supply. It is a selfish view of the matter, to assume that the laws of Georgia, or any other state, should totally ignore the rights of the people in any other state, or the rights of the generations to come, for it is the coming generations who will enjoy the

full fruition of our present excellent laws. The robin is another migratory bird and fine for the table. They are loved and petted by the people in the states to the north of us where they nest in summer. Because they are migratory is no reason why they should be decimated by the "pot hunter." It is against the Georgia law to kill a robin at any time.

National Uniformity.

To insure the most salutary effect in the matter of the preservation of migratory birds, national laws are necessary, and inevitable, for we are making progress in that direction. Congress will, probably, at no distant day, establish a national department of game and fish or provide for the supervision of that work by the department of agriculture.

The Game Law and its Benefits.

The new Georgia law primarily protects the rights of the land owner and of the true sportsman and as a rule they are its best friends. The restrictions of the right to hunt and fish has the salutary effect of reducing the number of those who visit the fields and streams for the purpose of taking game, thereby giving a corresponding advantage and opportunity for the game to increase; the natural result is that the number of legitimate sportsmen is really increased under the system, for the wearied business man will now find inducements to go into the woods and to visit the rivers and creeks in search of game and fish. But that is not the most important advantage of our warden-enforced law, which establishes a reasonable rule for the guidance of all and under the operation of which the selfish and gluttonous is deprived of the advantage he has taken of the more reasonable citizen who has, under the old system, been at a disadvantage with the "game hog" and the "pot hunter." Let every man observe the rules or make up his mind to abide the consequences, for this department will make it uncomfortable for him. He should not want to take the advantage of his neighbor by hunting out of season or killing game that is protected under the law, which is nothing more than taking the advantage of his law-abiding neighbor. But possibly the greatest of all the advantages or benefits from the law is that it will restore

to Georgia forests, fields and streams and abundance of game, birds and fish for the enjoyment of all the people, and for the protection of the crops and of life itself. There are those who believe that the destruction of birds has given an unnatural advantage to insect life, resulting in the destruction of crops and, sometimes, in greater calamities. The best informed men, who have studied the subject, believe and argue with reason that the Bob White partridge, familiar in every county in this state, is our best protection against the dreaded boll weevil.

This Department Self-Sustaining.

The legislature passing the new Georgia game law took great care to provide that no man should be taxed for the support of this department, but that it should be sustained by the sportsmen who enjoy hunting the game that it is sought to protect. Not a dollar was appropriated from the state treasury and the department has been organized and put in motion without a cent to start it with, and the commissioner expects to turn over to the public school fund at the end of the year quite a sum, that we trust will be applied to the increase in teachers' pay. The department is entirely dependent upon the very reasonable fees charged for hunting license, which will be much more than enough to meet all the expenses leaving the fines and penalties, or that part of it reserved to the state after paying for prosecution, entirely for the school fund. Thus the infractors of the law, those who are not willing to abide by the rule that has been established for the government of all hunters will have the satisfaction, at least, of knowing that the fine money, the state's share of it, will go for the education of the children, who, we hope, will know better than to infract so good a law.

Public Sentiment.

Public sentiment, usually against any law until it has been tried, is rapidly crystalizing in favor of the strict enforcement of the new game law. The public demands the prosecution and conviction of those who violate the law. Unless the law is evenly enforced it would naturally become unpopular and difficult to enforce at all, and this department may be expected to use every legitimate means to secure a uniform observance of its provisions in every county of

Georgia. A healthy public sentiment is essential to the successful and uniform enforcement of the law and for that reason the department will distribute in every county in the state this booklet and other literature calculated to prepare the public mind for the strict enforcement of the law. The commissioner believes that, generally, county officers have been rather lax in the matter of law enforcement, and every intelligent man understands that the failure to enforce one law leads to the violation of other laws. We appeal to every law abiding citizen to put the weight of his influence on the side of law enforcement, and the new game law will soon become one of the most popular of the Georgia statutes.

The Warden's Duty.

The duty of the county warden and his deputies is plain as laid down in the law, but when left to act upon their own initiative it is natural that even the best of them will become indifferent, or at least forgetful of the important work they have in hand, as they become absorbed in their business affairs, particularly in the closed season when the fees are light and prosecutions are infrequent. For that reason this central office has been established, and it will be our pleasure and duty to constantly remind the wardens of the necessity for vigilance and strict enforcement by prosecution, if necessary, of those who are willing to break the law. Wardens are warned against rash and ill advised prosecutions; and this department will undertake to discourage any warden who uses his office to gratify a spleen he may hold against his neighbor. He must know the difference between persecution and prosecution; and while the law should be enforced evenly, it is not necessary to enforce it rashly. It is the duty of the warden to so conduct his prosecutions as to make friends of the neighbors of the violator he prosecutes. It should be his purpose to see that the game law is the most popular as well as the best enforced law in the state, and to do that there must be no discrimination between persons or classes. When in doubt, write, wire or 'phone this office. We are here to be troubled.

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GEORGIA

Department of Game and Fish.

BULLETIN NO. 2.

LAWS OF GEORGIA

For the Protection of Game, Birds and Fish. In-
structions to Wardens and Suggestions to the Public.

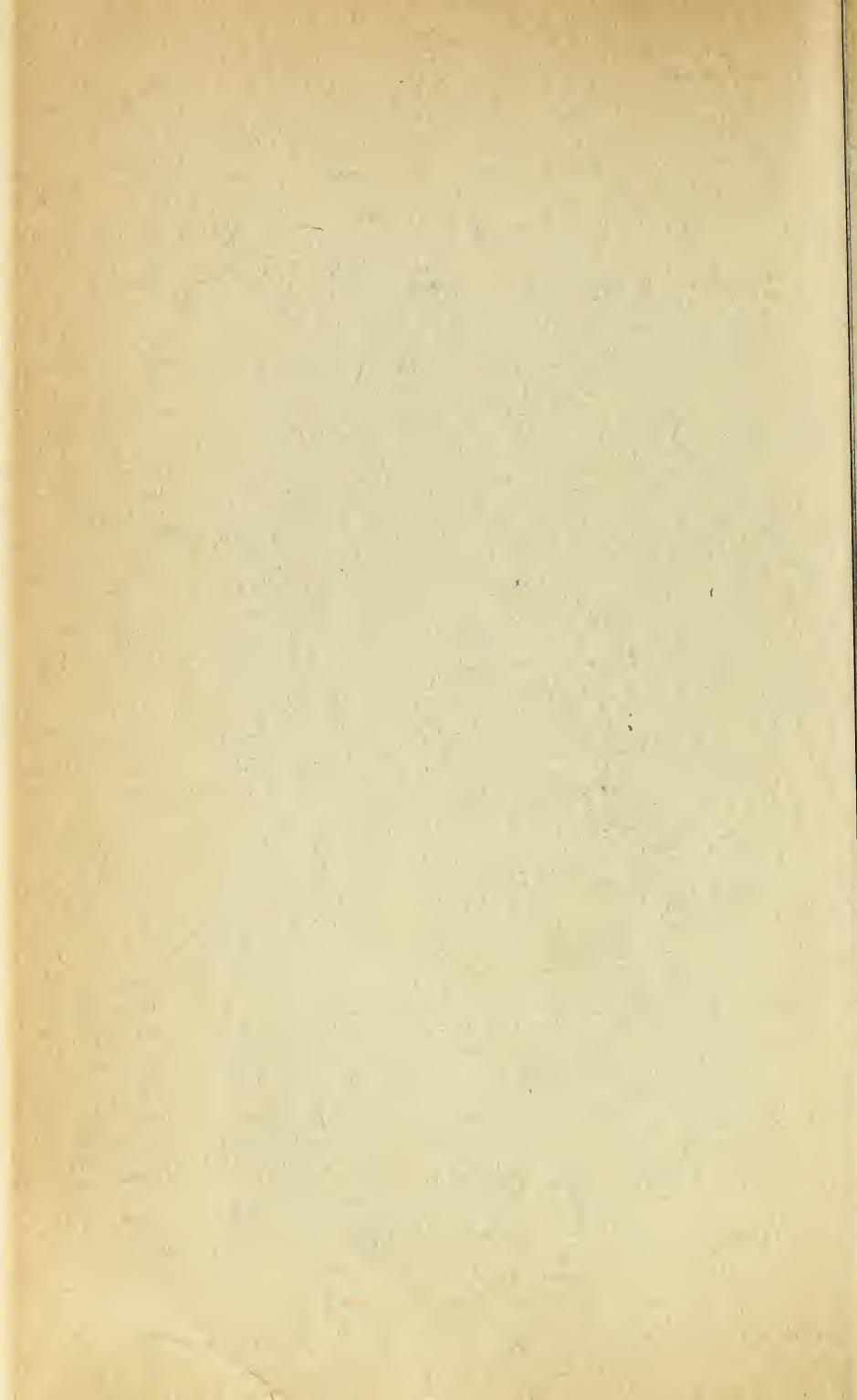


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—BY—

JESSE E. MERCER,
State Game and Fish Commissioner.
FITZGERALD, GEORGIA.

January, 1912.



GEORGIA

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— BY —

JESSE E. MERCER,
State Game and Fish Commissioner.
FITZGERALD, GEORGIA.

January, 1912.

STATE GAME AND FISH DEPARTMENT.

The Commissioner invokes the vigilance of Wardens, the assistance of Sportsmen, and the good will of all Law-abiding Citizens in securing the enforcement of the New Game and Fish Laws.

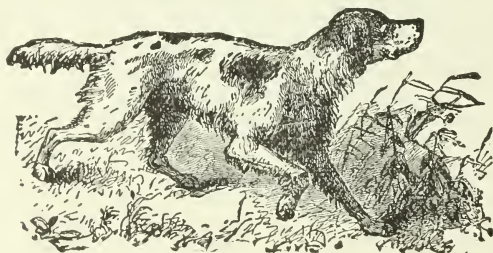
I will appreciate the interest of any good citizen of Georgia who in the name of Law Enforcement will report to this office, County Wardens or Deputies any infractions that may come under his observation, and such information will be treated inviolate.

Signed,

JESSE E. MERCER,

Commissioner.

(Fitzgerald, Ga., Jan. 1st, 1912.)



SHALL OUR DOVES GO THE WAY OF THE WILD PIGEONS?

The president of the American Humane Association, in a letter to a Georgia paper, said:

"I see by reports that Georgia is making herself infamous by an alleged slaughter of 6,000 harmless doves by 150 hogs called hunters. It really seems too bad that so great and humane a State as Georgia should allow practices of this kind to go on.

"There are two important facts to which I would respectfully call the attention of the citizens of Georgia. The first of these is that the relentless and merciless slaughter of wild pigeons has nearly annihilated that beautiful species of birds commonly called 'the passenger dove.' It used to exist in enormous flocks, but now is so nearly exterminated that in most parts of the United States it is never seen.

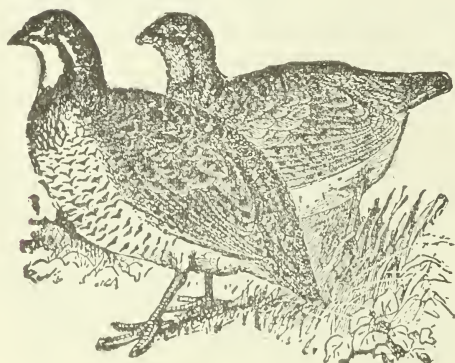
"The second point to which I would like to call your attention is that a number of States, including, I am proud to say, my own State of New York, have passed laws forbidding the employment of pigeons as live targets for gunners.

"The opposition to this practice, which has long existed, of slaughtering vast quantities of pigeons in the name of 'sport' is not a piece of maudlin sentiment on the part of a few scatter-brained humanitarians. There are aspects of cruelty connected with it which would cause an Apache Indian to blush with shame. It is not the practice of either Indians or wild beasts to merely slaughter for the fun of killing wild animals or birds. They kill in order to sustain life. In the case of pigeon shooting, vast numbers are shot down

largely for the sake of demonstrating dexterity in shooting and also in order to satisfy that savage instinct for killing something which still finds lodgment in half-civilized members of the human race.

“Large numbers of these birds are slaughtered from pure wantonness. They are allowed to rot and quantities are not used for food. The worst aspect of the whole thing is that a great many of them are wounded in field shooting and escape to die a lingering death or eke out a miserable existence of suffering for days or weeks. I feel sure that the majority of the chivalrous people of Georgia will not call this bloody pastime ‘manly sport.’ It is quite on a par with the practice of heedless and brutal children of pulling off the wings and legs of flies. One is as much a ‘manly’ sport as the other.”

It is the duty and should be the aim of every good citizen of Georgia to see that we never again deserve such a letter of condemnation and censure.



DEPARTMENT OF GAME AND FISH ESTABLISHED

AN ACT for the protection of game animals and birds and fish; to establish the Department of Game and Fish; to declare what shall be game animals and birds; to provide for the appointment of a State Game and Fish Commissioner, and the appointment of Wardens and Deputy Wardens, prescribing their duties and their purposes, and to provide penalties for violations of this Act.

Section 1. DEPARTMENT OF GAME AND FISH ESTABLISHED —COMMISSIONERS' TERM OF OFFICE.

Be it enacted by the General Assembly of Georgia, That the department of game and fish be established, to be in charge of the game and fish commissioner, who shall be appointed by the governor, and the term of whose office shall be for a period of two years, beginning September 1, 1911, or until his successor is appointed and qualified. Any vacancy in this office by death or otherwise shall be filled by appointment by the governor.

Section 2. COMMISSIONER'S SALARY.

Said commissioner shall receive a salary of not exceeding \$2,000 per annum, payable alone out of the fund hereinafter mentioned, and provided by virtue of this act, and he shall give his entire time to the service of the state as such game and fish commissioner.

Section 3. COMMISSIONER'S DUTIES—BOOKS AND ACCOUNTS—SEAL OF OFFICE.

Said commissioner shall give bond in the sum of \$4,000 payable to the governor of the state, with two or more solvent securities, conditioned for the faithful performance of the duties of his office and a proper accounting of all moneys that may come into his hands as commissioner. He shall keep a public record correctly disclosing all moneys received and expended, the number of hunter's licenses, the number of wardens employed, with their names, and counties in which they serve. Also the name of each person prosecuted for violation of this act, with the amount of fines imposed and collected in each case, and all such other information as may be necessary

to the affairs of the department. The books and accounts of said commissioner shall be audited in the same way as other books and accounts of the other departments of the state are audited. He shall have a seal of office.

Section 4. COMMISSIONER TO SEE THAT PRESENT LAWS
AND FUTURE LAWS ENACTED ARE OBSERVED—SEIZE
GAME AND BIRDS—WARDENS AUTHORIZED TO
SERVE CRIMINAL PROCESS.

It shall be the duty of said commissioner to see that the laws now or hereafter enacted for the protection, propagation and preservation of game animals, game birds or other birds and fish in this state are observed, and that violations of said laws are promptly and speedily prosecuted. It shall be his duty to seize or cause to be seized game birds, or other animals and fish caught or killed at a time or in a manner, or which have been shipped, contrary to the provisions of this act. Such game or fish so seized shall be donated to some charitable institution in this state, except live game birds, animals or fish, which shall be liberated. He shall, with wardens and deputy wardens and ex-officio wardens, be authorized to serve all criminal process for violations of this act which could be served by the sheriff and constables of this state.

Section 5. COMMISSIONER TO APPOINT COUNTY WARDENS
—WARDEN'S DUTIES, PER DIEM AND FEES; SHARE OF
FINES; WARDEN'S RECORDS IN CLERK'S OFFICE.

He shall appoint game and fish wardens and deputy wardens in each county of this state, such appointees to hold their office for the term of two years unless sooner removed for cause by the commissioner. Such wardens and deputy wardens shall enforce all the provisions of this act and all other laws in reference to game and fish in their respective counties. Such wardens and deputy wardens shall receive three dollars per day while acting under the special directions of the commissioner, with reference to the discharge of their duties, which sum shall be paid out of the game protection fund provided for by this act. Each county warden shall receive one-fourth of all fines and forfeitures and penalties collected in the county in which he holds office imposed for violation of this act, where he does not furnish the evidence necessary to convict. If he does arrest, or cause the arrest, and furnish the evidence necessary to convict then he shall have three-fourths of such fines, forfeitures and penalties. Any person arresting or causing to be arrested of-

fenders under this Act and furnishing the evidence necessary to convict such offenders shall receive one-half of fines, forfeitures and penalties imposed and collected from such offenders and legal fees paid to constables. The remaining portion of fines imposed and collected shall be forwarded to the state game commissioner and by him turned into the treasury to the credit of the game protection fund. The county warden shall receive twenty-five cents for each county license issued by him, one dollar for each state license and three dollars for each non-resident license issued by him.

All county wardens shall keep a record in the office of the clerk of the court in their respective counties, which record shall be open to the public, giving names of all parties holding resident, county and state license and non-resident state license issued by him. This record shall also show the names, offences and fines imposed on all persons convicted for a violation of the fish or game laws of this state in the county of his jurisdiction.

Section 6. LICENSES, HOW ISSUED, DESCRIPTION—FEES REMITTED—HUNTING AND FISHING ON OWN LAND AND MILITIA DISTRICT.

Any resident of the state may procure a license to hunt in his resident county upon the payment of the sum of one dollar. License to such resident shall be issued authorizing him to hunt throughout the state upon the payment of three dollars. Licenses shall be issued to non-residents of the state upon the payment of the sum of fifteen dollars, which shall authorize such non-residents to hunt throughout the state. All licenses shall bear the date of issuance if the license is issued in the open season, and shall authorize the person named therein to hunt during the then open season, and if issued in the closed season shall authorize said person to hunt during the next succeeding open season. Such licenses shall be signed by the commissioner and countersigned by the game warden of the county in which the license is issued and numbered. It shall contain the residence, age, sex and postoffice address of the person to whom issued; also shall state the race, approximate height and weight, and the color of the applicant's hair and eyes. The license fees, less the warden's fees, shall be remitted by the warden to the commissioner not later than the first of the following month. A person may hunt or fish in the open season in his own militia district or on his own land without a license. Tenants and their families by and with permission of the owner of the land shall be permitted to

hunt and fish on the lands leased and rented by them without a license. All licenses shall terminate on the first day of February following the date of issuance.

Section 7. LAND OWNER'S PERMISSION ALWAYS REQUIRED.

No person shall hunt or fish upon the lands of another with or without license without first having obtained permission from such land owner.

Section 8. GAME PROTECTION FUND--SURPLUS TO GO TO SCHOOL FUND.

All moneys received by the commissioner arising under this act shall constitute a fund known as the game protection fund, and shall be devoted to the payment of the salary of the commissioner, his necessary incidental expenses and the salary of the game wardens and deputy wardens when acting under the special instructions from him. Such salaries and expenses shall not be a charge upon the state funds, nor payable out of any other fund than the game protection fund. No voucher for said salaries or expenses shall be paid unless there shall be at the time sufficient money to the credit of said fund in the treasury. If there should be any money in the treasury at the end of the year to the credit of the game protection fund the account so remaining shall become a part of the public school fund of the state.

Section 9. CLERKS OF COURT TO REPORT TO COMMISSIONER.

The clerk of each court in which prosecutions may be instituted for violations of this act shall promptly report to the commissioner the result of said trial and the amount of fines, forfeitures and penalties collected, which said sum shall, after the deductions mentioned in section 5 of this act, be forwarded to the game commissioner and be placed to the credit of the game protection fund.

Section 10. JUDGES SHALL CHARGE GRAND JURIES.

It shall be the duty of the various judges of the superior courts to specially mention in their charges to their respective grand juries the provisions of this act.

Section 11. GAME BIRDS AND ANIMALS NAMED.

The following shall be deemed game birds and animals: Quail, commonly known as Bob White Partridges, doves, snipe, woodcocks and curlews, wild turkeys, grouse, pheasants, deer, squirrels and summer or wood duck.

Section 12. MISDEMEANOR TO PURCHASE OR SELL OR OFFER TO SELL.

Any person who shall purchase or sell, or export for sale, or offer to sell any of the game birds or animals named in section 11 of this act shall be guilty of a misdemeanor, and upon conviction punished by a fine of not less than ten nor more than one hundred dollars, and all costs for each offense, or to work on the public works not less than five nor more than thirty days, and any one or more of these punishments may be ordered in the discretion of the judge.

Section 13. TRANSPORTATION FORBIDDEN—NESTS AND EGGS PROTECTED.

Any person who shall transport or ship, or offer to transport or ship, any of the game birds or animals mentioned in section 11 of this act, without the limits of the state, or from the county in which the game was killed into another county in this state, or who shall sell or offer for sale, or purchase or offer to purchase any part of the plumage, skin or body of any of the game birds or animals mentioned in section 11 or who shall take or willfully destroy the nests or eggs of any of said birds, shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by section 12 of this act; provided it shall be lawful for any person duly authorized to hunt to personally transport, openly, the game actually killed by him from the county in which it was killed to any county of this state, or without the state, but the person killing said game must in each instance accompany the game so killed. Each person hunting shall carry with him his license and exhibit the same promptly upon request of any game warden or deputy warden or ex-officio warden.

Section 14. OPEN SEASON DEFINED—POSSESSION A CRIME
DOVE BAITING FORBIDDEN—INCREASED PENALTY.

Any person who shall hunt, kill or destroy by any means whatsoever or who is in possession of the following named birds or animals, except between the following dates, shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed in section 12 of this act: Quail, commonly known as Bob White partridges, doves, wild turkey gobblers, plovers, from December 1st to March 1st following, snipe from December 1 to May 1 following; wood-cock, summer or wood duck, from Dec. 1 to Jan. 1 following; deer, fox squirrels and gray squirrels from October 1 to January 1

following of each year. It shall be unlawful any time of the year to scatter upon the lands of any person, whether it be the owner of the land or not, any corn, wheat or grain or other bait for the purpose of drawing to the lands where such bait are scattered or placed, game birds or doves, for the purpose of shooting or allowing to be shot at, or killing such game birds or doves at or near such lands so baited, and it shall be unlawful for any person to shoot at or kill any dove or other game bird at, upon, over or near any land baited or baited field or land, and for a violation of this provision such person or persons shall be guilty of a misdemeanor and punished as prescribed in section 1065 of criminal code.

Section 15. THREE DEER, THREE TURKEYS SEASON LIMIT.
TWENTY-FIVE GAME BIRDS, FORTY SNIPE OR
DOVES BAG LIMIT.

During the open season no one person shall be authorized to kill more than three male deer, nor more than three wild turkey gobblers during any one season. Nor more than twenty-five game birds of any one species in any one day, except snipe or doves, of which one person may kill forty in one day. Any person violating this section shall be guilty of a misdemeanor and punished as prescribed in section 12 of this act.

Section 16. PHEASANT, GROUSE, DOE, TURKEY HENS.
PROTECTED FIVE YEARS.

Any person who shall catch or kill any wild pheasant, grouse, wild doe or fawn, or wild turkey hens, or any imported game birds or game animals prior to December 1, 1916, shall be guilty of a misdemeanor and upon conviction, punished as prescribed in section 12 of this act.

Section 17. SNARES, NETS, POISON FORBIDDEN.

Any person who shall at any time kill or capture or wound any game bird or animal by the use of any pitfall, deadfall, snare, trap, net, pen or other device, or by the use of any poison, drug or explosive, or who shall hunt, catch, or kill any game birds or animals at night shall be guilty of a misdemeanor, and upon conviction punished as is prescribed in section 12 of this act.

Section 18. LICENSE AND CONSENT NECESSARY

Any person who shall hunt without first obtaining a license, except on his own land, or in his own militia district, or who lends or

transfers his license to another, or who shall hunt upon the lands of another without first having obtained his consent to do so, except persons following hounds in pursuit of foxes or deer, or any other animals not mentioned in this act, shall be guilty of a misdemeanor, and upon conviction, punished as prescribed in section 12 of this act.

Section 19.—COMMON CARRIER SHALL NOT SHIP.

Any common carrier who shall ship or transfer or carry any game bird or animal without the limits of this state shall be guilty of a misdemeanor and upon conviction, punished as prescribed in section 12 of this act; provided the terms of this section shall not apply to game in the personal possession of the party killing the same, provided such party has obtained a license then of force.

Section 20. AGENTS OF COMMON CARRIERS SHALL NOT HANDLE.

Any agent or employee of a common carrier who shall receive any game birds or animals for shipment without the state, or from one county to another within this state, shall be guilty of a misdemeanor, and upon conviction, punished as prescribed in section 12 of this act.

Section 21. PENALTY FOR WARDENS' NEGLIGENCE OF DUTY.

Any warden, deputy warden or ex-officio warden who shall fail to perform any act or duty placed upon him by this act shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed in section 12 of this act.

Section 22. MONEY TO BE DEPOSITED TO THE CREDIT OF GAME PROTECTION FUND.

All monies received by the commissioner arising from the provisions of this act shall be deposited in the state treasury to the credit of the game protection fund, and said fund shall not be drawn upon or used for any purpose save such as is designated in this act.

Section 23. ALL BIRDS PROTECTED—EXCEPTIONS.

It shall be unlawful for any person in this state to kill, catch or have in his possession any wild non-game bird, or to take or destroy the nest or eggs of any non-game bird, or to have the same in his or her possession. Such persons violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction,

punished as is prescribed in section 12 of this act; provided this section shall not apply to the following birds: English sparrows, owls, hawks, eagles, crows and rice birds, except persons may ship into this state birds mounted for millinery purposes.

Section 24. WARDENS TO ENFORCE FISH LAWS.

The game commissioner and wardens shall see that the laws pertaining to fish are rigidly enforced.

Section 25. All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED AUGUST 21, 1911.

FISH LAWS

(Tenth Division—Article 35—Page 119, Criminal Code.)

Terrapins, Turtles, Fish and Oysters.

Section 595. TIME WITHIN WHICH TERRAPINS MAY BE CAPTURED.

If any person shall capture terrapins in any of the rivers, estuaries, bays, sounds, creeks, or tide-waters of this State, by means of seines, nets, traps, or other device, from the first day of March to the twenty-fifth day of July, he shall be guilty of a misdemeanor.

Section 596. FEMALE TERRAPINS OF CERTAIN SIZE NOT TO BE CAPTURED.

No person shall capture in any manner, or at any time, female terrapins of a less size than five and one half inches, measured lengthwise on the lower shell; and when any such terrapins are caught, they shall be at once returned to the waters from which they were taken. The violation of this section shall be a misdemeanor.

Section 597. POSSESSION EVIDENCE, EXCEPTION.

It shall be prima facie evidence of a violation of the provisions of the two preceding sections for any person, or persons to be found in possession of any terrapin of a less size than five and one half inches, measured lengthwise on the lower shell, at any season of the year, or of any terrapin of any kind between the first of March

and the 25th of July; provided, that nothing in this section shall be so construed as to apply to persons owning and maintaining a bona fide and duly established terrapin crawl, or pen in which terrapins may be kept for the purpose of raising and cultivation.

Section 598. REGULATIONS AS TO NETS.

If any person shall at any time use any seine, net, trap, or other device for the capture of terrapins, with meshes or openings smaller than five and one half inches stretched, or four and one fourth inches loose measure, he shall be guilty of a misdemeanor.

Section 599. TURTLES, WHEN TO BE TAKEN.

If any person shall take turtles within tide-water at any time other than from the first day of May to the first day of September, he shall be punished as for a misdemeanor.

Section 600. FISHING REGULATED.

No person shall inhabit, occupy, or reside in any vessel, ark, or flat on any river of this State, which shall not be engaged in the lawful commerce of said river in the carriage of goods or produce to or from market, unless owned by the proprietors of the shores, or their lessees; provided, nothing in this section shall be construed to prevent the owners of the land on said rivers, or their lessees, from taking fish in the river opposite their banks; but no seine shall be permitted to be used in said river either by such owners or lessees, from twelve o'clock Saturday night to twelve o'clock Sunday night; and provided also, that every lease or license to fish shall be recorded within ten days after the granting thereof in the clerk's office of the superior court of the county where the land lies. A violation of any of the foregoing provisions shall be punished as for a misdemeanor.

601. ILLEGAL FISHING.

No person, other than the proprietors of the shores and banks of salt creeks, estuaries, and rivers, (or such person as shall be by any such proprietor authorized,) shall take fish, or attempt to do so, with any line, net, or contrivance, on any estuary, or river, where an artificial shell-reef, beds or fishing grounds have been constructed within one hundred yards thereof. Nor shall one proprietor construct or use such places opposite the shore or bank of another proprietor beyond the center of creek, estuary, or river opposite his own shore or bank. Any person violating the provisions of this section shall be guilty of a misdemeanor.

Section 602 TRAPS, ETC., UNLAWFUL, EXCEPT BY CONSENT

If any person shall put any trap, wire, trot-line, set-line, or other like contrivances, for catching fish for sale, in any of the lakes or other waters of the State, upon or within the lands of another, without the written consent of the owner thereof, he shall be guilty of a misdemeanor.

Section 603. OBSTRUCTING PASSAGE OF FISH.

If any person shall place in the waters of any river or creek, or any fresh water drain, any dam, trap, net, seine, or other device for catching fish, unless the main channel of such stream is left open for a space of ten feet for rivers and one third channel of creek, at low-water mark, unobstructed for the free passage of fish up or down such stream, he shall be guilty of a misdemeanor, and the sheriff of the county, upon complaint of persons in the territory of such obstruction shall have authority to break and open any dam, net, or other obstruction that may be placed in such waters in violation of this section. This section does not apply to dams for milling or manufacturing purposes. The words "low-water mark" shall not apply to fresh water drains.

Section 604. KILLING FISH WITH DYNAMITE, OR FIREARMS.

If any person shall use fire-arms, dynamite, or other explosive or destructive substances for the purpose of killing fish, he shall be guilty of a misdemeanor.

Section 605. NETS, ETC., EXTENDING TO OR OBSTRUCTING MORE THAN ONE HALF THE STREAM.

If any person shall use nets, seines, or other contrivances covering, extending to, or obstructing more than one half of the stream, for catching or taking shad in any of the streams of this State, he shall be guilty of a misdemeanor.

Section 606 CLOSED TIME AND MESHES OF NETS FOR SHAD.

There shall be a "closed time" in the rivers in which shad are caught, of forty-eight hours; commencing at sunrise on Saturday morning of each week, and ending at sunrise on Monday morning of the next week, during which "closed time" no shad or other migratory fish shall be caught by nets, wires, pounds, or any other means whatever; neither shall such nets, wires, pounds, or other apparatus be left in said rivers during said "closed time." The meshes of nets or other apparatus for catching said fish shall not be less than five inches.

Section 607. WHEN SHAD SHALL BE TAKEN.

No shad shall be taken, except between the first day of January and the twentieth day of April of each year, except for spawning purposes, to carry out the provisions of the law for propagating fish.

Section 608. PENALTY.

A violation of either of the two preceding sections shall be a misdemeanor.

Section 609. SEINING OR NETTING FOR MOUNTAIN TROUT.

If any person shall seine or net for fish in any of the streams in which mountain trout exist, or are placed, he shall be guilty of a misdemeanor.

Section 611. POISONING FISH.

Any person who shall directly by himself, or by aiding or abetting others, put walnut hulls, walnut leaves, devil shoestring, or any poisonous substance whatever of any kind in any waters, either running streams or standing waters, such as lakes, ponds, or eddy places in any river or creek within the limits of this State, which will be likely to drive away or poison the fish therein by contaminating said waters, shall be guilty of a misdemeanor.

Section 612.—CLOSED PERIOD—SEINES, NETS, GIGS, SPEARS

If any person shall catch or take any fish with seine, net, gig, or spear, or like device from any of the waters of this State, between the first day of February and the first day of July in each year, except with hook and line, he shall be guilty of a misdemeanor.

Section 613.—SHAD.

In the case of shad the above prohibition as to dates shall apply only between the 15th of April and the 1st of July.

Section 614. DRIFT-NETS, WHEN THEY SHALL NOT BE USED.

Whoever shall catch any shad or other fish, or use for the purpose of catching shad or other fish, in any of the waters of this state, any net or nets known as drift-nets, between the hours commencing at sundown on Thursday of each week and ending at sunrise on Monday morning of the next week, shall be guilty of a misdemeanor.

Section 615. TIME FOR TAKING OYSTERS.

If any person shall prick, tong, dredge or in any other manner take or catch oysters from any of the waters of this state, except from private beds, from the first of May to the thirty-first day of August, inclusive, except for the purpose of replanting the same in the waters of this state, or shall take them for any purpose during any season from one hour after sunset on Saturdays until one hour before sunrise on the succeeding Mondays, he shall be guilty of a misdemeanor.

Section 616. UNLAWFUL TO ROUGH TAKE OYSTERS.

If any person shall "rough" take or catch oysters from any of the public beds within the waters of this state, unless the same shall be culled over the beds from which they may be taken, except when the weather is such as to render it dangerous to remain at the beds, he shall be guilty of a misdemeanor. This section shall not apply to the taking of oysters for the purpose of replanting the same in any of the waters of this state.

Section 617. REMOVING OYSTERS FROM PRIVATE BEDS, OR
REMOVING OYSTER-MARKS.

If any person shall, without authority from the owner, take or catch any oysters from any private bed, or remove or deface any oyster-marks, he shall be guilty of a misdemeanor.

Section 618. HOW OYSTERS MAY BE TAKEN.

If any person shall take or catch oysters by the use of any other instrument than the oyster tongs heretofore in general use for taking oysters, within the waters less than one-thousand feet distance from the shore line at ordinary mean low tide, he shall be guilty of a misdemeanor.

Section 619. EXCEPTIONS.

The foregoing section does not apply to oysters taken by any means from private beds by the owner or lessee thereof. Nor does it apply to oysters taken from unleased territory within said limits, for the purposes of transplanting to other beds in this state, with the consent and approval of the ordinary and board of county commissioners as provided by law.

Section 620. CERTAIN PERSONS SHALL NOT PROCURE OYSTER BEDS IN THIS STATE.

If any person, corporation, or agents thereof, who are engaged in any other state in the business of shipping or canning oysters, shall procure oyster beds of this state, it shall be a misdemeanor.

Section 621. TONGING OR CATCHING AT NIGHT.

If any person shall tong or catch oysters between sunset and sunrise, unless an unobstructed light, six feet above the gunwale, be carried on board the boat used for such purpose, he shall be guilty of a misdemeanor.

Section 590. O'POSSUMS.

If any person shall hunt or catch o'possum between the first day of March and the first day of October of each year, he shall be guilty of a misdemeanor.



Sportsmen and the New Law.

Georgia has been a little slower than her sister states in the matter of game protection. All the states of the Union, except Florida and Mississippi, have laws similar to ours or more stringent; and they are easily and evenly enforced as soon as the people fully understand their purport and come to know the merits of the new system. The laws that have been upon our statute books for several years have been constantly and conspicuously violated, mainly for the reason that there was no organized effort to enforce them; of course every good citizen wanted to see the birds and game protected; but when the average citizen realized that the "pot hunter" and "game hog" were taking advantage of his respect for the law the sportsman himself joined in the general slaughter, which has gone on until some of our game, turkey and deer in particular, are almost extinct. But the enforcement of the present statute, which is guaranteed by the warden system, will soon restore the normal condition in field and stream.

The Law and the Land Owner.

The new law is aimed primarily at the "game hog," who is not satisfied with a reasonable amount of game; and the "pot hunter," who scours the woods and drags the streams in search of game and fish for the market, and who has no regard for the law, or the rights of the land owners; who tears down or shoots down the trespass notices and who would soon entirely destroy the most desirable game. Under the new law everybody's land is "posted," and it is a crime for any man to go on the lands of another for the purpose of hunting without the land owner's consent. The land owner is relieved of the embarrassment of the prosecutions by the machinery of the present law, which requires the wardens and deputy wardens to act. A land owner may not be willing to see his game and fish killed, caught and destroyed by others, and yet not be disposed to prosecute, even call the matter to the attention of the grand jury, and the new law relieves him of that necessity. The law is automatic and provides strong inducements in the form of fees and fines, and in addition makes it a misdemeanor for warden or deputy warden to fail in his duty.

Poisoning and Dynamiting Fish.

Probably the ugliest crime connected with the destruction of game and fish, and one that is devoid of the semblance of sport, is the practice of poisoning the waters, or dynamiting the ponds and streams, destroying all life for the sake of a day's supply of fish. For a mess of flesh many average citizens have been thoughtless enough to at least aid and abet in this inexcusable practice. IT WILL BE THE POLICY OF THIS DEPARTMENT TO RELENTLESSLY HUNT DOWN AND VIGOROUSLY PROSECUTE EVERY PERSON PARTICIPATING IN SUCH INFRACCTIONS OF THE LAW THAT COMES TO ITS KNOWLEDGE. And the department should have the assistance and encouragement of every good citizen in checking this tremendous draft on the supply of fish; and to restore a normal condition, which is that of an abundant supply of fish in every stream of the state.

Dove Baiting.

Next to dynamiting fish is the barbarous practice of baiting doves and slaughtering them by the thousand. Certainly it is great sport, but the fascination leads to the destruction of large numbers, often five and six thousand in a single morning in one small field, a wanton destruction of one of the finest of game birds. But let us hope that this has become a reminiscence, that it has passed into history, to be remembered by future generations as a species of barbarism. It must not be attempted in Georgia now, and every warden or deputy warden who fails to do his duty in bringing into court those who infract this wholesome provision of the law will surely receive the censure of this office; and every good citizen who fails will be censured by a quickened conscience. Let's have no more dove baiting in Georgia.

The Protection of Migratory Birds.

There are those who claim that because doves are of a migratory nature that to kill them in large quantities does not materially effect the supply. It is a selfish view of the matter, to assume that the laws of Georgia, or any other state, should totally ignore the rights of the people in any other state, or the rights of the generations to come, for it is the coming generations who will enjoy the

full fruition of our present excellent laws. The robin is another migratory bird and fine for the table. They are loved and petted by the people in the states to the north of us where they nest in summer. Because they are migratory is no reason why they should be decimated by the "pot hunter."

National Uniformity.

To insure the most salutary effect in the matter of the preservation of migratory birds, national laws are necessary, and inevitable, for we are making progress in that direction. Congress will, probably, at no distant day, establish a national department of game and fish or provide for the supervision of that work by the department of agriculture.

The Game Law and its Benefits.

The new Georgia law primarily protects the rights of the land owner and of the true sportsman and as a rule they are its best friends. The restrictions of the right to hunt and fish has the salutary effect of reducing the number of those who visit the fields and streams for the purpose of taking game, thereby giving a corresponding advantage and opportunity for the game to increase; the natural result is that the number of legitimate sportsmen is really increased under the system, for the wearied business man will now find inducements to go into the woods and to visit the rivers and creeks in search of game and fish. But that is not the most important advantage of our warden-enforced laws, which establishes a reasonable rule for the guidance of all and under the operation of which the selfish and gluttonous is deprived of the advantage he has taken of the more reasonable citizen who has, under the old system, been at a disadvantage with the "game hog" and the "pot hunter." Let every man observe the rules or make up his mind to abide the consequences, for this department will make it uncomfortable for him. He should not want to take advantage of his neighbor by hunting out of season or killing game that is protected under the law, which is nothing more than taking advantage of his law-abiding neighbor. But possibly the greatest of all the advantages or benefits from the law is that it will restore to Georgia forests, fields and streams an abundance of game, birds

and fish for the enjoyment of all the people, and for the protection of the crops and of life itself. There are those who believe that the destruction of birds has given an unnatural advantage to insect life, resulting in the destruction of crops and, sometimes, in greater calamities. The best informed men, who have studied the subject, believe and argue with reason that the Bob White partridge, familiar in every county in this state, is our best protection against the dreaded boll weevil.

This Department Self-Sustaining.

The legislature passing the new Georgia game law took great care to provide that no man should be taxed for the support of this department, but that it should be sustained by the sportsmen who enjoy hunting the game that it is sought to protect. Not a dollar was appropriated from the state treasury and the department has been organized and put in motion without a cent to start it with, and the commissioner expects to turn over to the public school fund at the end of the year quite a sum, that we trust will be applied to the increase in teachers' pay. The department is entirely dependent upon the very reasonable fees charged for hunting license, which will be much more than enough to meet all the expenses leaving the fines and penalties, or that part of it reserved to the state after paying for prosecution, entirely for the school fund. Thus the infractors of the law, those who are not willing to abide by the rule that has been established for the government of all hunters will have the satisfaction, at least, of knowing that the fine money, the state's share of it, will go for the education of the children, who, we hope, will know better than to infract so good a law.

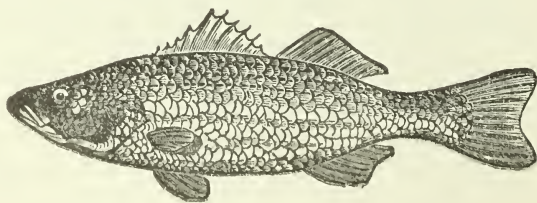
Public Sentiment.

Public sentiment, usually against any law until it has been tried, is rapidly crystalizing in favor of the strict enforcement of the new game law. The public demands the prosecution and conviction of those who violate the law. Unless the law is evenly enforced it would naturally become unpopular and difficult to enforce at all, and this department may be expected to use every legitimate means to secure a uniform observance of its provisions in every county of Georgia. A healthy public sentiment is essential to the successful and uniform enforcement of the law and for that reason the department will distribute in every county in the state this booklet

and other literature calculated to prepare the public mind for the strict enforcement of the law. The commissioner believes that, generally, county officers have been rather lax in the matter of law enforcement, and every intelligent man understands that the failure to enforce one law leads to the violation of other laws. We appeal to every law abiding citizen to put the weight of his influence on the side of law enforcement, and the new game law will soon become one of the most popular of the Georgia statutes.

The Warden's Duty.

The duty of the county warden and his deputies is plain as laid down in the law, but when left to act upon their own initiative it is natural that even the best of them will become indifferent, or at least forgetful of the important work they have in hand, as they become absorbed in their business affairs, particularly in the closed season when the fees are light and prosecutions are infrequent. For that reason this central office has been established, and it will be our pleasure and duty to constantly remind the wardens of the necessity for vigilance and strict enforcement by prosecution, if necessary, of those who are willing to break the law. Wardens are warned against rash and ill advised prosecutions; and this department will undertake to discourage any warden who uses his office to gratify a spleen he may hold against his neighbor. He must know the difference between persecution and prosecution; and while the law should be enforced evenly, it is not necessary to enforce it rashly. It is the duty of the warden to so conduct his prosecutions as to make friends of the neighbors of the violator he prosecutes. It should be his purpose to see that the game law is the most popular as well as the best enforced law in the state, and to do that there must be no discrimination between persons or classes. When in doubt, write, wire or 'phone this office. We are here to be troubled.



Explanations by the Author.

Representative Darsey, who introduced the bill creating the Department of Game and Fish, explains several sections that have been considered ambiguous in a letter to the Griffin Sun, Nov. 22.

MR. EDITOR :

Permit me just once again to try to make plain the provisions of the game and fish law. I do this not in a spirit of apology, but as a public service and because I am in a position to know what was the intention of the law.

The object of the law was to stop the wholesale slaughter of the birds and animals named in the act by professional pot hunters and at the same time to insure to the land-owner the right to the game raised on his place and fed by his labor. I have never believed that it was right to kill game birds and animals for sale and profit, especially when they were in danger of extermination. I have always believed that the man who by the sweat of his brow made it possible for game birds and animals to subsist should have the first claim upon them, hence the clause that makes it necessary to obtain permission of the land-owner. Also, the provision against their sale and transportation. To show that the legislature recognized these rights and at the same time had no desire to work a hardship upon them, it was provided that a man might hunt upon his own land without a license, no matter where situated. It went even further and allowed him to hunt anywhere in his own militia district without a license, but recognizing the right of the man who raised the game to have the first claim, made it necessary to obtain permission from the land-owner. This is not written permission; verbal permission is all that is necessary. It seems to me that when a man has the time and the inclination to go beyond the limits of his own domain and militia district the imposition of a one dollar license would not be a hardship—and that if he had the time and inclination to hunt beyond the limits of his own county that a license fee of three dollars would be a small matter. The money derived from these licenses is for the purpose of paying a man to see that the provisions of the law were enforced.

Now let me be plain. A person can hunt on his own land no matter where situated in the open season without license. He can hunt anywhere in his own militia district without a license, but permission is necessary to go upon the lands of another. He can hunt anywhere in the county for one dollar and anywhere in the State for three dollars.

This applies to game animals and birds as is designated in the act. It is also against the law to kill insectivorous birds, except crows, English sparrows, etc.

It is not necessary to obtain a license to fish, but consent is necessary.

This law has the approval of all the Atlanta dailies and so far as I know all others of any prominence. It has the moral support of all conscientious and true sportsmen. It has the approval of a vast majority of property owners.

So far as I know the persons dissatisfied are the ones who, as Sam Jones said, were "hit" and therefore "hollered," and those who were not acquainted with its provisions. As is the case with all new laws, it has been misrepresented and misinterpreted, but when all the people come to understand its provisions and appreciate the importance of protecting our game from extermination, they will appreciate it more than any law on the statute books. The law-abiding citizen can and will keep the letter and spirit and those who wilfully disobey it ought to be punished. I trust I have made it plain and assuring those who have an interest in game protection of my desire to perfect the same by amendment where it is found defective,

I am very respectfully,
REPRESENTATIVE, J. A. DARSEY.

Some Questions Answered.

1. "No, it is not against the law to sell or ship furs or to trap fur animals, but trapping is hunting, and a license and permission are required.

2. "Yes, the law seems to protect migratory ducks, but it is apparent and very evident that the legislature did not intend to do so and this department will not institute prosecutions for shooting ducks, except summer ducks.

3. "Yes, wardens must enforce the fish laws—sections 565 to 621 of the criminal code.

4. "Yes, the law requires a license to hunt rabbits or any other animals and permission is necessary, but the season is always "open" for all animals except deer, squirrel and o'possum.

5. "Yes, when a warden accepts his commission as such, he is bound to enforce the law diligently, and should be familiar with section 21.

6. "No, training dogs is not necessarily 'hunting' although it may be trespassing, and wardens should be sure it is not hunting, but it should be the policy of the wardens to give sportsmen whatever assistance or opportunity that may be necessary in training dogs. It is not probable that any man who really wants to train his dog and obey the law will take a gun and ammunition with him in the fields and woods. If he does, the warden should prosecute him for hunting in every case."

7. Yes, any person may hunt on his own land in any or several counties. A non-resident is not required to buy a license to hunt on "his own land" in this state. But that does not mean father's land, or a wife's land; the law reads, "his own land."

8. Yes, wardens and deputy wardens are required to pay for license to hunt same as other citizens.

J. E. MERCER,
State Game and Fish Commissioner.
Fitzgerald, Ga., January, 1912.

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GEORGIA

Department of Game and Fish

BULLETIN NO. 3.

LAWS OF GEORGIA

For the Protection of Game, Birds and Fish
Instructions to Wardens and Sug-
gestions to the Public



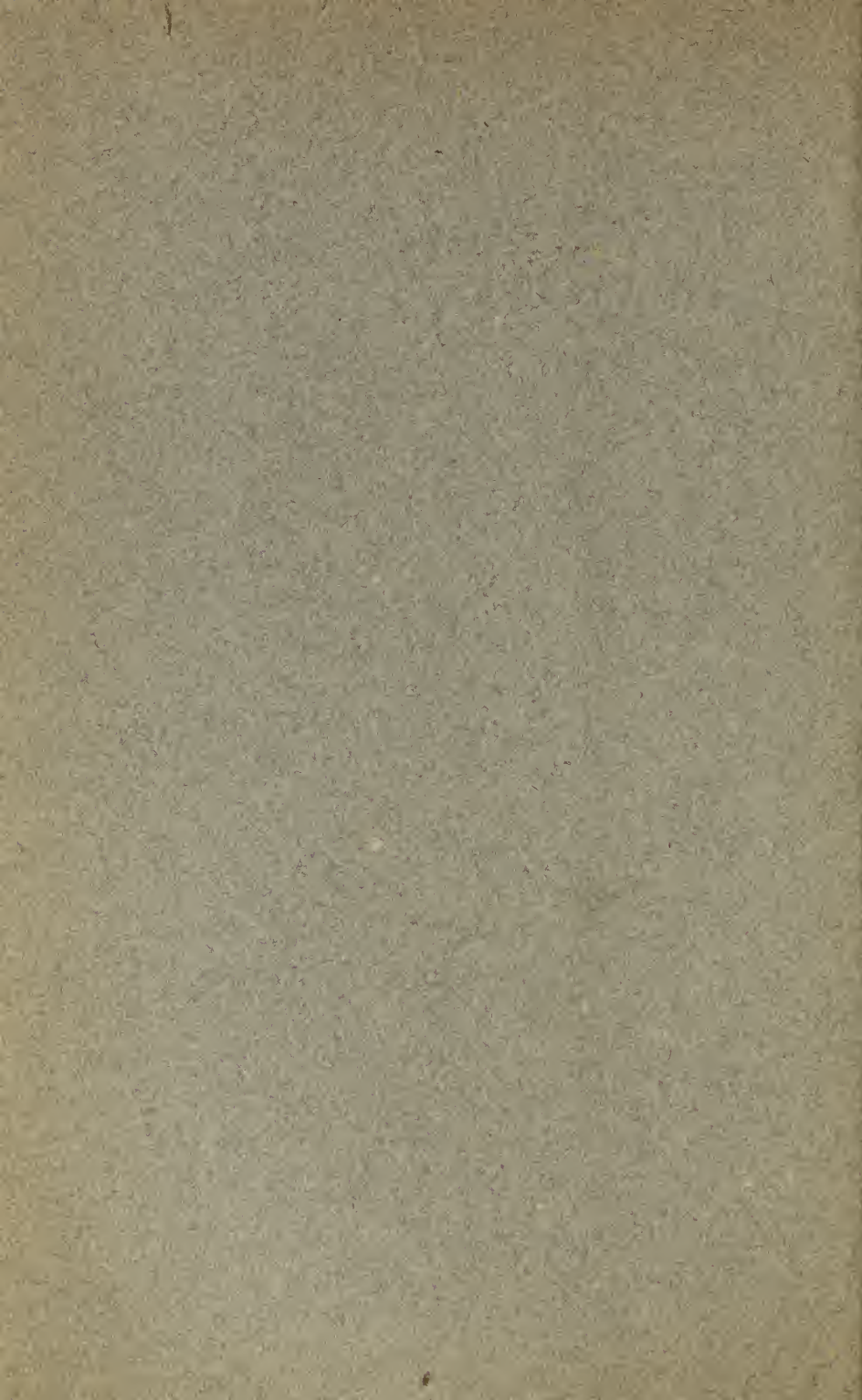
—BY—

JESSE E. MERCER

State Game and Fish Commissioner

ATLANTA, GEORGIA

November, 1912



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JESSE E. MERCER

State Game and Fish Commissioner

ATLANTA, GEORGIA

November, 1912

STATE OF GEORGIA

DEPARTMENT OF GAME AND FISH

This Department is entitled to vigilance on the part of the wardens, to the co-operation of every sportsman holding a license and to the good will of all law abiding citizens in the effort to secure the uniform enforcement of the Game and Fish Laws of the State.

The Commissioner will appreciate the interest of any good citizen of the State, who, in the name of law enforcement and for the sake of the protection and conservation of fish and game, will report to this office, to county wardens or deputies infractions of the law that come to their notice. All letters or reports or information will be treated as confidential.

Jesse E. Mercer Commissioner,

Atlanta, Ga., November 1st, 1912.

DEPARTMENT OF GAME AND FISH ESTABLISHED

Act of August 21st, 1911.

AN ACT for the protection of game animals and birds and fish; to establish the Department of Game and Fish; to declare what shall be game animals and birds; to provide for the the appointment of a State Game and Fish Commissioner, and the appointment of Wardens and Deputy Wardens, prescribing their duties and their purposes, and to provide penalties for violation of this Act.

Section 1. DEPARTMENT OF GAME AND FISH ESTABLISHED—COMMISSIONERS' TERM OF OFFICE.

Be it enacted by the General Assembly of Georgia, That the department of game and fish be established, to be in charge of the game and fish commissioner, who shall be appointed by the governor, and the term of whose office shall be for a period of two years, beginning September 1, 1911, or until his successor is appointed and qualified. Any vacancy in this office by death of otherwise shall be filled by appointment by the governor.

Section 2. COMMISSIONER'S SALARY.

Said commissioner shall receive a salary of not exceeding \$2,000 per annum, payable alone out of the fund hereinafter mentioned, and provided by virtue of this act, and he shall give his entire time to the service of the state as such game and fish commissioner.

Section 3. COMMISSIONER'S DUTIES—BOOKS AND ACCOUNTS—SEAL OF OFFICE.

Said commissioner shall give bond in the sum of \$4,000 payable to the governor of the state, with two or more solvent securities, conditioned for the faithful performance of the duties of his office and a proper accounting of all moneys that may come into his hands as commissioner. He shall keep a

public record correctly disclosing all moneys received and expended, the number of hunter's licenses, the number of wardens employed, with their names, and counties in which they serve. Also the name of each person prosecuted for violation of this act, with the amount of fines imposed and collected in each case, and all such other information as may be necessary to the affairs of the department. The books and accounts of said commissioner shall be audited in the same way as other books and accounts of the other departments of the state are audited. He shall have a seal of office.

Section 4. COMMISSIONER TO SEE THAT PRESENT
LAWS AND FUTURE LAWS ENACTED ARE OB-
SERVED—SEIZE GAME AND BIRDS—WARDENS
AUTHORIZED TO SERVE CRIMINAL PROCESS.

It shall be the duty of said commissioner to see that the laws now or hereafter enacted for the protection, propagation and preservation of game animals, game birds or other birds and fish in this State are observed and that violations of said laws are promptly and speedily prosecuted. It shall be his duty to seize or cause to be seized game birds, or other animals and fish caught or killed at a time or in a manner, or which have been shipped, contrary to the provisions of this act. Such game or fish so seized shall be donated to some charitable institution in this state, except live game birds, animals or fish, which shall be liberated. He shall, with wardens and deputy wardens and ex-officio wardens, be authorized to serve all criminal process for violations of this act which could be served by the sheriff and constables of this state.

Section 5. COMMISSIONER TO APPOINT COUNTY WAR-
DENS—WARDEN'S DUTIES, PER DIEM AND FEES;
SHARE OF FINES; WARDEN'S RECORDS IN
CLERK'S OFFICE.

He shall appoint game and fish wardens and deputy wardens in each county of this state, such appointees to hold their office for the term of two years unless sooner removed for cause by the commissioner. Such wardens and deputy wardens shall enforce all the provisions of this act and all other laws in reference to game and fish in their respective counties. Such wardens and deputy wardens shall receive three dollars per day

Hungarian partridges and pheasants would do well in Georgia, but first we should take care of the splendid game already here.

while acting under the special directions of the commissioner, with reference to the discharge of their duties, which sum shall be paid out of the game protection fund provided for by this act. Each county warden shall receive one-fourth of all fines and forfeitures and penalties collected in the county in which he holds office imposed for violation of this act, where he does not furnish the evidence necessary to convict. If he does arrest, or cause the arrest, and furnish the evidence necessary to convict them he shall have three-fourths of such fines, forfeitures and penalties. Any persons arresting or causing to be arrested offenders under this Act and furnishing the evidence necessary to convict such offenders shall receive one-half of fines, forfeitures and penalties imposed and collected from such offenders and legal fees paid to constables. The remaining portion of fines imposed and collected shall be forwarded to the state game commissioner and by him turned into the treasury to the credit of the game protection fund. The county warden shall receive twenty-five cents for each county license issued by him, one dollar for each state license and three dollars for each non-resident license issued by him.

All county wardens shall keep a record in the office of the clerk of the court in their respective counties, which record shall be open to the public, giving names of all parties holding resident, county and state license and non-resident state license issued by him. This record shall also show the names, offences and fines imposed on all persons convicted for a violation of the fish or game laws of this state in the county of his jurisdiction.

Section 6. LICENSES, HOW ISSUED, DESCRIPTION—
FEES REMITTED—HUNTING AND FISHING ON
OWN LAND AND MILITIA DISTRICT.

Any resident of the state may procure a license to hunt in his resident county upon the payment of the sum of one dollar. License to such resident shall be issued authorizing him to hunt throughout the state upon the payment of three dollars. Licenses shall be issued to non-residents of the state upon the payment of the sum of fifteen dollars, which shall authorize such non-resident to hunt throughout the state. All licenses shall bear the date of issuance if the license is issued in the

Turkey and deer multiply rapidly if they are given an opportunity. With the proper enforcement of the laws within a few years they will be numerous in many counties of the state.

open season, and shall authorize the person named therein to hunt during the then open season, and if issued in the closed season shall authorize said person to hunt during the next succeeding open season. Such licenses shall be signed by the commissioner and countersigned by the game warden of the county in which the license is issued and numbered. It shall contain the residence, age sex and postoffice address of the person to whom issued; also shall state the race, approximate height and weight, and the color of the applicant's hair and eyes. The license fees, less the warden's fees, shall be remitted by the warden to the commissioner not later than the first of the following month. A person may hunt or fish in the open season in his own militia district or on his own land without a license. Tenants and their families by and with permission of the owner of the land shall be permitted to hunt and fish on the lands leased and rented by them without a license. All licenses shall terminate on the first day of February following the date of issuance.

Section 7. LAND OWNER'S PERMISSION ALWAYS REQUIRED.

No person shall hunt or fish upon the lands of another with or without license without first having obtained permission from such land owner.

Section 8. GAME PROTECTION FUND—SURPLUS TO GO TO SCHOOL FUND.

All moneys received by the commissioner arising under this act shall constitute a fund known as the game protection fund, and shall be devoted to the payment of the salary of the commissioner, his necessary incidental expenses and the salary of the game wardens and deputy wardens when acting under the special instructions from him. Such salaries and expenses shall not be a charge upon the state funds, nor payable out of any other fund than the game protection fund. No voucher for said salaries or expenses shall be paid unless there shall be at the time sufficient money to the credit of said fund in the treasury. If there should be and money in the treasury at the end of the year to the credit of the game protection fund the amount so remaining shall become a part of the public school fund of the state.

People who poison fish or use dynamite to kill them, or who bait dove fields are worse than selfish and lawless. They are savage and weak.

Section 9. CLERKS OF COURT TO REPORT TO COMMISSIONER.

The clerk of each court in which prosecutions may be instituted for violations of this act shall promptly report to the commissioner the result of said trial and the amount of fines, forfeitures and penalties collected, which said sum shall, after the deductions mentioned in section 5 of this act, be forwarded to the game commissioner and be placed to the credit of the game protection fund.

Section 10. JUDGES SHALL CHARGE GRAND JURIES.

It shall be the duty of the various judges of the superior courts to specially mention in their charges to their respective grand juries the provisions of this act.

Section 11. GAME BIRDS AND ANIMALS NAMED.

The following shall be deemed game birds and animals: Quail, commonly known as Bob White Partridges, doves, snipe, woodcocks and curlews, wild turkeys, grouse, pheasants, deer, squirrels and summer or wood duck.

Section 12. MISDEMEANOR TO PURCHASE OR SELL OR OFFER TO SELL.

Any person who shall purchase or sell, or export for sale, or offer to sell any of the game birds or animals named in section 11 of this act shall be guilty of a misdemeanor, and upon conviction punished by a fine of not less than ten nor more than one hundred dollars, and all costs for each offense, or to work on the public works not less than five nor more than thirty days, and any one or more of these punishments may be ordered in the discretion of the judge.

Section 13. TRANSPORTATION FORBIDDEN—NESTS AND EGGS PROTECTED.

Any person who shall transport or ship, or offer to transport or ship, any of the game birds or animals mentioned in section 11 of this act, without the limits of the state, or from the county in which the game was killed into another county in

The use of walnut hulls, devil's shoe strings and other poisons in fish streams and ponds is worse than barbarous. No Indian was ever guilty of a thing like that.

this state, or who shall sell or offer for sale, or purchase or offer to purchase any part of the plumage, skin or body of any of the game birds or animals mentioned in section 11 or who shall take or willfully destroy the nests or eggs of any of said birds, shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by section 12 of this act; provided it shall be lawful for any person duly authorized to hunt to personally transport, openly, the game actually killed by him from the county in which it was killed to any county of this state, or without the state, but the person killing said game must in each instance accompany the game so killed. Each person hunting shall carry with him his license and exhibit the same promptly upon request of any game warden or deputy warden or ex-officio warden.

Section 14. OPEN SEASON DEFINED—POSSESSION A CRIME—DOVE BAITING FORBIDDEN—INCREASED PENALTY.

Any person who shall hunt, kill or destroy by any means whatsoever or who is in possession of the following named birds or animals, except between the following dates, shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed in section 12 of this act: Quail, commonly known as Bob White partridges, doves, wild turkey gobblers, plovers, from December 1st to March 1st following, snipe from December 1 to May 1 following; wood-cock, summer or wood duck, from December 1 to January 1 following; deer, fox squirrels and gray squirrels from October 1 to January 1 following of each year. It shall be unlawful any time of the year to scatter upon the lands of any person, whether it be the owner of the land or not, any corn, wheat or grain or other bait for the purpose of drawing to the lands where such bait are scattered or placed, game birds or doves, for the purpose of shooting or allowing to be shot at, or killing such game birds or doves at or near such lands so baited, and it shall be unlawful for any person to shoot at or kill any dove or other game bird at, upon, over or near any land baited or baited field or land, and for a violation of this provision such person or persons shall be guilty of a misdemeanor and punished as prescribed in section 1065 of criminal code.

Dynamiting fish is not only a crime against the law, but a wanton destruction of fish life for small compensation. There is no sport in it or excuse for the practice.

**Section 15. THREE DEER, THREE TURKEYS SEASON
LIMIT. TWENTY-FIVE GAME BIRDS, FORTY SNIPE
OR DOVES BAG LIMIT.**

During the open season no one person shall be authorized to kill more than three male deer, nor more than three wild turkey gobblers during any one season. Nor more than twenty-five game birds of any one species in any one day, except snipe or doves, of which one person may kill forty in one day. Any person violating this section shall be guilty of a misdemeanor and punished as prescribed in section 12 of this act.

**Section 16. PHEASANT, GROUSE, DOE, TURKEY HENS,
PROTECTED FIVE YEARS.**

Any person who shall catch or kill any wild pheasant, grouse, wild doe or fawn, or wild turkey hens, or any imported game birds or game animals prior to December 1, 1916, shall be guilty of a misdemeanor and upon conviction, punished as prescribed in section 12 of this act.

Section 17. SNARES, NETS, POISON FORBIDDEN.

Any person who shall at any time kill or capture or wound any game bird or animal by the use of any pitfall, deadfall, snare, trap, net, pen or other device, or by the use of any poison, drug or explosive, or who shall hunt, catch, or kill any game birds or animals at night shall be guilty of a misdemeanor, and upon conviction punished as is prescribed in section 12 of this act.

Section 18. LICENSE AND CONSENT NECESSARY.

Any person who shall hunt without first obtaining a license, except on his own land, or in his own militia district, or who lends or transfers his license to another, or who shall hunt upon the lands of another without first having obtained his consent to do so, except persons following hounds in pursuit of foxes or deer, or any other animals not mentioned in this act, shall be guilty of a misdemeanor, and upon conviction, punished as prescribed in section 12 of this act.

Section 19.—COMMON CARRIER SHALL NOT SHIP.

Any common carrier who shall ship or transfer or carry

The legislature is responsible for the wording of the law, the courts have the right to construe it. It is the duty of the warden to enforce it.

any game bird or animal without the limits of this state shall be guilty of a misdemeanor and upon conviction, punished as prescribed in section 12 of this act; provided the terms of this section shall not apply to game in the personal possession of the party killing the same, provided such party has obtained a license then of force.

Section 20. AGENTS OF COMMON CARRIERS SHALL NOT HANDLE.

Any agent or employee of a common carrier who shall receive any game birds or animals for shipment without the state, or from one county to another within this state, shall be guilty of a misdemeanor, and upon conviction, punished as prescribed in section 12 of this act.

Section 21. PENALTY FOR WARDEN'S NEGLIGENCE OF DUTY.

Any warden, deputy warden or ex-officio warden who shall fail to perform any act or duty placed upon him by this act shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed in section 12 of this act.

Section 22. MONEY TO BE DEPOSITED TO THE CREDIT OF GAME PROTECTION FUND.

All monies received by the commissioner arising from the provisions of this act shall be deposited in the state treasury to the credit of the game protection fund, and said fund shall not be drawn upon or used for any purpose save such as is designated in this act.

Section 23. ALL BIRDS PROTECTED—EXCEPTIONS.

It shall be unlawful for any person in this state to kill, catch or have in his possession any wild non-game bird, or to take or destroy the nest or eggs of any non-game bird, or to have the same in his or her possession. Such persons violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction, punished as is prescribed in section 12 of this act; provided this section shall not apply to the following birds: English sparrows, owls, hawks, eagles, crows and rice

There is a difference in persecution and prosecution; be reasonable, use good judgment.

birds, except persons may ship into this state birds mounted for millinery purposes.

Section 24. WARDENS TO ENFORCE FISH LAWS.

The game commissioner and wardens shall see that the laws pertaining to fish are rigidly enforced.

Amendments

Act of August 19th, 1912.

An Act to amend an Act entitled an Act for the protection of game animals and birds and fish; to establish the Department of Game and Fish; to declare what shall be game animals and birds; to provide for the appointment of a State Game and Fish Commissioner, and the appointment of wardens and deputy wardens, prescribing their duties and their compensations; to regulate licenses to hunt and for other purposes, and to provide penalties for violations of this Act, approved August 21st, 1911. Providing for change of date for expiration of hunting license, a penalty for hunting and fishing without permission, adding ducks to the list of game birds and animals. For adding black birds and field larks to the list of unprotected birds, and for other purposes.

Section 1. Be it enacted by the General Assembly of the State of Georgia, That Section 5 of the Act creating the Department of Game and Fish, approved August 21st, 1911, shall be amended by striking the words "this act" in the 15th and 20th lines of said section and substituting in lieu thereof the following: "Any of the game and fish laws of this state" so that said section, when amended, shall read as follows: "He shall appoint Game and Fish Wardens and Deputy Wardens in each county of this state, such appointees to hold their office for the term of two years, unless sooner removed for cause by the commissioner. Such wardens and deputy wardens shall enforce all the provisions of this Act and all other laws in reference to game and fish in their respective counties. Such Wardens and Deputy Wardens shall receive

Dove baiting was a crime long before it was made a crime by Georgia laws. It is a sin and a shame.

three dollars per day while acting under the special directions of the commissioner with reference to the discharge of their duties, which sum shall be paid out of the Game Protection Fund provided by this Act. Each county warden shall receive one-fourth of all fines and forfeitures and penalties collected in the county in which he holds office, imposed for violations of any of the game and fish laws of this state, where he does not furnish the evidence necessary to convict. If he does arrest, or cause the arrest, and furnish the evidence necessary to convict then he shall have three-fourths of such fines, forfeitures and penalties. Any person arresting or causing to be arrested offenders under any of the game and fish laws of this state, and furnish the evidence necessary to convict such offenders, shall receive one-half of all fines, forfeitures and penalties imposed and collected for such offenders and legal fees paid to constables. The remaining portion of fines imposed and collected shall be forwarded to the State Game and Fish Commissioner, and by him turned into the Treasury to the credit of the Game Protection Fund. The county warden shall receive twenty-five cents for each county license issued by him, one dollar for each state license, and three dollars for each non-resident license issued by him. All county wardens shall keep a record in the office of the clerk of the court in their respective counties, which record shall be open to the public, giving names of all parties holding resident county and state license and non-resident state license issued by him. This record shall also show the names offenses and fines imposed on all persons convicted for violations of the fish or game laws of this state in the county of his jurisdiction.

Section 2. Be it further enacted that Section 6 of the Act creating the Department of Game and Fish, approved August 21, 1911, shall be amended by striking the words "first day of" in the 26th line of said section, and substituting the words "twentieth day of" so that said section, when amended, shall read:

"Any resident of the state may procure a license to hunt in his resident county upon the payment of the sum of one dollar. License to such resident shall be issued authorizing him to hunt throughout the state upon the payment of three

Among the enemies of the quail are floods and forest fires, hawks, four footed animals and some two footed animals, namely the game hog and the pot hunter.

dollars. License shall be issued to non-residents of the state upon the payment of the sum of fifteen dollars, which shall authorize such non-residents to hunt throughout the state. All license shall bear the date of issuance if the license is issued in the open season, and shall authorize the person named therein to hunt during the then open season, and if issued in the closed season, shall authorize said person to hunt during the next succeeding open season. Such license shall be signed by the commissioner and countersigned by the game warden of the county in which license is issued and numbered. It shall contain the residence, age sex, and post office address of the person to whom issued; also state race, approximate height and weight, and color of applicant's hair and eyes. The license fees, less the warden's fee, shall be remitted by the warden to the commissioner not later than the first of the following month. A person may hunt and fish in the open season in his own militia district or on his own land without a license. Tenants and their families, by and with permission of the owner of the land, shall be permitted to hunt and fish on the lands leased and rented by them without a license. All licenses shall terminate on the twentieth day of February following the date of issuance."

Section 3. That Section 7 be amended by adding thereto the following: "Any person violating this section is hereby declared to be guilty of a misdemeanor, and shall be punished as prescribed in Section 12 of this Act." So that said section, when amended, shall read as follows: "No person shall hunt or fish upon the lands of another with or without a license, without first having obtained permission from such land owner. Any person violating this section is hereby declared to be guilty of a misdemeanor, and shall be punished as prescribed in Section 12 of this Act."

Section 4. That Section 11 be amended by striking from the fourth line of said section the words: "summer or wood" before the word "duck," and adding to said section "marsh hens," so that said section, when amended, shall read: "The following shall be deemed game birds and animals: Quail, commonly known as Bob White partridges; doves, snipe, wood cock, curlews, wild turkeys, grouse, pheasants, deer, squirrels, ducks and marsh hens." Provided, that nothing herein con-

tained shall prohibit the hunting or sale of migratory ducks, provided that no one person shall kill more than fifty ducks in one day and season for shooting migratory ducks is between September 1st to April 20th.

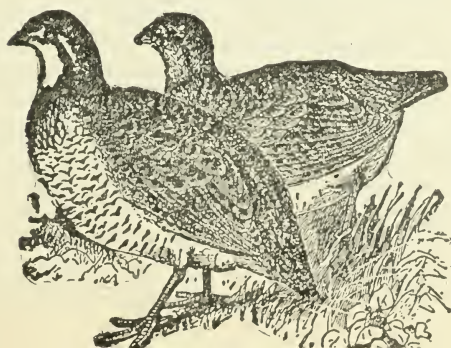
Section 5. That Section 14 be amended by striking from the 7th and 8th lines of said section the words "December 1st to March 1st," and inserting in lieu thereof "November 20th to March 1st," and by striking from the 10th line of said section the word "fox," and inserting the following: "September 1st to December 1st" and from the 11th line the words "and gray squirrels," and the word "October," and inserting the word "cat" before squirrels, and the word "August" after the word "from," and by inserting after the word "land" in the 21st line of said section the following: "It shall be unlawful to kill any fox squirrel prior to January 1st, 1918," so that said section, when amended, will read: "Any person who shall hunt, kill or destroy, by any means whatsoever, or who is in possession of the following named birds or animals, except between the following dates, shall be guilty of a misdemeanor, and, upon conviction, shall be punished as is prescribed by Section 12 of this Act; Quail, commonly known as Bob White partridges, doves, wild turkey gobblers and plovers from November 20th to March 1st following; snipe from December 1st to May 1st following; Wood cock and summer or wood duck from December 1st to January 1st following; deer from October 1st to December 1st follownig; cat squirrels from August 1st to January 1st following, of each year. It shall be unlawful any time of the year to scatter upon the lands of any person, whether it be the owner of the land or not, any corn, wheat or grain, or to bait for the purpose of drawing to the lands where such bait is scattered or placed, game birds or doves, for the purpose of shooting or allowing to be shot at, or killed, such game birds or doves at or near such lands so baited, and it shall be unlawful for any person to shoot at or kill any dove or other game bird at, upon, over or near any land baited or baited field or land. It shall be unlawful for any person to kill any fox squirrels prior to January 1st, 1918, and for violations of this provision such person or persons

A state license costs about as much as a horse and buggy for one day's hunt, and the money is expended for your benefit. Don't be stingy buy your license early.

shall be guilty of a misdemeanor and punished as prescribed in Section 1065 of the Criminal Code of 1911.

Section 6. That Section 23 be amended by inserting after the word "bird" in the ninth line of said section of the published Act the words "field or meadow larks," so that said section when so amended will read:—"It shall be unlawful for any person in the State to kill, catch, or have in his possession any non-game bird, or to take or destroy the nests or eggs of any non-game bird, or to have the same in his or her possession; such person violating the provisions of this Section shall be guilty of a misdemeanor, and upon conviction, punished as is prescribed in Section 12 of this Act; provided, this Section shall not apply to the following birds: English sparrows, owls, hawks, eagles, crows, rice birds, and field or meadow larks, except persons may ship into this State birds mounted for millinery purposes.

Section 7. Be it further enacted by the authority aforesaid, that all laws and parts of laws in conflict with this Act are hereby repealed.



How the Law Reads Amended

Italics Indicate Changes or Amendments

Section 1. Be it enacted by the General Assembly of Georgia, That the department of game and fish be established, to be in charge of the game and fish commissioner, who shall be appointed by the governor, and the term of whose office shall be for a period of two years, beginning September 1, 1911, or until his successor is appointed and qualified, Any vacancy in this office by death or otherwise shall be appointed by the governor.

Section 2. Said commissioner shall receive a salary of not exceeding \$2,000.00 per annum, payable alone out of the fund hereinafter mentioned, and provide by virtue of this act, and he shall give his entire time to the service of the state as such game and fish commissioner.

Section 3. Said commissioner shall give bond in the sum of \$4,000 payable to the governor of the state, with two or more solvent securities, conditioned for the faithful performance of the duties of his office and a proper accounting of all moneys that may come into his hands as commissioner. He shall keep a public record correctly disclosing all moneys received and expended, the number of hunter's licenses, the number of wardens employed, with their names, and counties in which they serve. Also the name of each person prosecuted for violation of this act the amount of fines imposed and collected in each case, and all such other information as may be necessary to the affairs of the department. The books and accounts of said commissioner shall be audited in the same way as other books and accounts of the other departments of the state are audited. He shall have a seal of office.

Section 4. It shall be the duty of said commissioner to see that the laws now or hereafter enacted for the protection, propagation and preservation of game animals, game birds and fish in this state are observed, and that violations of said laws are promptly and speedily prosecuted. It shall be his duty to seize or cause to be seized game birds, or other animals and fish caught or killed at a time or in a manner, or which have been shipped, contrary to the provisions of this

act. Such game or fish so seized shall be donated to some charitable institution in this state, except live game birds, animals or fish, which shall be liberated. He shall, with wardens and deputy wardens and ex-officio wardens, be authorized to serve all criminal processes for violations of this act which could be served by the sheriff and constables of this state.

Section 5. He shall appoint game and fish wardens and deputy wardens in each county of this state, such appointees to hold their office for the term of two years unless sooner removed for cause by the commissioner. Such wardens and deputy wardens shall enforce all the provisions of this act and all other laws in reference to game and fish in their respective counties. Such wardens and deputy wardens shall receive three dollars per day while acting under the special directions of the commissioner with reference to the discharge of their duties, which sum shall be paid out of the game protection fund provided for by this act. Each county warden shall receive one-fourth of all fines and forfeitures and penalties collected in the county in which he holds office imposed for violation of *any of the game and fish laws of this state* where he does not furnish the evidence necessary to convict. If he does arrest, or cause the arrest, and furnish the evidence necessary to convict, then he shall have three-fourths of such fines, forfeitures and penalties. Any person arresting or *causing to be arrested offenders under any of the game and fish laws of this state* and furnishing the evidence necessary to convict such offenders shall receive one-half of fines, forfeitures and penalties imposed and collected from such offenders and legal fees paid to constables. The remaining portion of fines imposed and collected shall be forwarded to the state game commissioner and by him turned into the treasury to the credit of the game protection fund. The county warden shall receive twenty-five cents for each county license issued by him, one dollar for each state license and three dollars for each non-resident license issued by him.

All county wardens shall keep a record in the office of the clerk of the court in their respective counties, which record shall be open to the public, giving names of all parties holding resident, county and state license and non-resident

Every man who hunts should gladly pay the license fee, which is used for the protection of the game he wishes to hunt.

state license issued by him. This record shall also show the names, offenses and fines imposed on all persons convicted for a violation of the fish or game laws, of this state in the county of his jurisdiction.

Section 6. Any resident of the state may procure a license to hunt in his resident county upon the payment of the sum of one dollar. License to such resident shall be issued authorizing him to hunt throughout the state upon the payment of three dollars. Licenses shall be issued to non-residents of the state upon the payment of the sum of fifteen dollars, which shall authorize such non-resident to hunt throughout the state. All licenses shall bear the date of issuance if the license is issued in the open season, and shall authorize the person named therein to hunt during the then open season, and if issued in the closed season shall authorize said person to hunt during the next succeeding open season. Such licenses shall be signed by the commissioner and countersigned by the game warden of the county in which the license is issued and numbered. It shall contain the residence, age, sex and postoffice address of the person to whom issued; also shall state the race, approximate height and weight, and the color of the applicant's hair and eyes. The license fees, less the warden's fees, shall be remitted by the warden to the commissioner not later than the first of the following month. A person may hunt or fish in the open season in his own militia district or on his own land without a license. Tenants and their families by and with permission of the owner of the land shall be permitted to hunt and fish on the lands leased and rented by them without a license. All licenses shall terminate on the *twentieth day of February* following the date of issuance.

Section 7. No person shall hunt or fish upon the lands of another with or without license without first having obtained permission from such land owner: *Any person violating this section is hereby declared to be guilty of a misdemeanor, and shall be punished as prescribed in section twelve of this act.*

Section 8. All moneys received by the commissioner arising under this act shall constitute a fund known as the game protection fund, and shall be devoted to the payment of the salary of the commissioner, his necessary incidental expenses and the salary of the game wardens and deputy ward-

ens when acting under the special instructions from him. Such salaries and expenses shall not be a charge upon the state funds, nor payable out of any other fund than the game protection fund. No voucher for said salaries or expenses shall be paid unless there shall be at the time sufficient money to the credit of said fund in the treasury. If there should be any money in the treasury at the end of the year to the credit of the game protection fund the amount so remaining shall become a part of the public school fund of the state.

Section 9. The clerk of each court in which prosecutions may be instituted for violations of this act shall promptly report to the commissioner the result of said trial and the amount of fines, forfeitures and penalties collected, which said sum shall, after the deductions mentioned in section 5 of this act, be forwarded to the game commissioner and be placed to the credit of the game protection fund.

Section 10. It shall be the duty of the various judges of the superior courts to specially mention in their charges to their respective grand juries the provisions of this act.

Section 11. The following shall be deemed game birds and animals: Quails, commonly known as Bob White Part-ridges, doves, snipe, woodcocks and curlews, wild turkeys, grouse, pheasants, deer, squirrels, duck, *and marsh hens*.

Section 12. Any person who shall purchase or sell, or export for sale or offer to sell any of the game birds or animals named in section 11 of this act shall be guilty of a misdemeanor, and upon conviction punished by a fine of not less than ten nor more than one hundred dollars, and all costs for each offense, or to work on the public works not less than five nor more than thirty days, and any one or more of these punishments may be ordered in the discretion of the judge.

Section 13. Any person who shall transport or ship, or offer to transport or ship, any of the game birds or animals mentioned in section 11 of this act, without the limits of the state, or from the county in which the game was killed into another county in this state, or who shall sell or offer for sale, or purchase or offer to purchase any part of the plumage, skin or body of any of the game birds or animals mentioned in section 11 or who shall take or wilfully destroy the nests or eggs of any of said birds, shall be guilty of a misdemeanor,

It's just as easy to be a sportsman as it is to be a game hog, and a d—sight better.

and upon conviction shall be punished as prescribed by section 12 of this act; provided it shall be lawful for any person duly authorized to hunt to personally transport, openly, the game actually killed by him from the county in which it was killed to any county of this state, or without the state, but the person killing said game must in each instance accompany the game so killed. Each person hunting shall carry with him his license and exhibit the same promptly upon request of any game warden or deputy warden or ex-officio warden.

Section 14. Any person who shall hunt, kill or destroy by any means whatsoever or who is in possession of the following named birds or animals, except between the following dates, shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed in section 12 of this act. Quail, commonly known as Bob White partridges, doves, wild turkey gobblers and plovers from *November the twentieth to March first* following; snipe from December 1 to May 1 following; wood cock, summer or wood duck, from December 1 to January 1 following; deer *October first to December first*; cat squirrels from August first to January 1 following of each year. *It shall be unlawful to kill any fox squirrels prior to January first, 1918. Provided that nothing herein contained shall prohibit the hunting or sale of Migratory ducks, provided that no one person shall kill more than fifty ducks in any one day and season for shooting migratory ducks is between September 1st and April 20th.* It shall be unlawful at any time of the year to scatter upon the lands of any person, whether it be the owner of the land or not, any corn wheat or other bait for the purpose of drawing to the lands where such bait is scattered or placed, game birds or doves, for the purpose of shooting or allowing to be shot at, or killing such game birds or doves at or near such lands so baited, and it shall be unlawful for any person to shoot at or kill any dove or other game bird at, upon over or near any land baited or baited field or land, and for a violation of this provision such person or persons shall be guilty of a misdemeanor and punished as prescribed in section 1065 of criminal code.

Section 15. During the open season no person shall be authorized to kill more than three male deer, nor more than three wild turkey gobblers during any one season. Nor more than twenty-five game birds of any one species in any one day,

Every man who hunts, from the Governor down, is required to pay the same fee.

except snipe or doves, of which one person may kill forty in one day. Any person violating this section shall be guilty of a misdemeanor and punished as prescribed section 12 of this act.

Section 16. Any person who shall catch or kill any wild pheasant, grouse, wild doe, or fawn, or wild turkey hens, or any imported game birds or game animals prior to December 1, 1916, shall be guilty of a misdemeanor, and upon conviction, punished as prescribed in section 12 of this act.

Section 17. Any person who shall at any time kill or capture or wound any game bird or animal by the use of pitfall, deadfall, snare, trap, pen or other device, or by the use of any poison, drug or explosive, or who shall hunt, catch, or kill any game birds or animals at night shall be guilty of a misdemeanor, and upon conviction, punished as prescribed in section 12 of this act.

Section 18. Any person who shall hunt without first obtaining a license, except on his own land, or in his own militia district, or who lends or transfers his license to another, or who shall hunt upon the lands of another without first having obtained his consent to do so, except persons following hounds in pursuit of foxes or deer, or any other animals not mentioned in this act, shall be guilty of a misdemeanor, and upon conviction, punished as prescribed in section 12 of this act.

Section 19. Any common carrier who shall ship or transfer or carry any game bird or animal without the limits of this state shall be guilty of a misdemeanor, and upon conviction, punished as prescribed in section 12 of this act; provided the terms of this section shall not apply to game in the personal possession of the party killing the same, provided such party has obtained a license then of force.

Section 20. Any agent or employee of a common carrier who shall receive any game birds or animals for shipment without the state, or from one county to another within this state, shall be guilty of a misdemeanor, and upon conviction, punished as prescribed in section 12 of this act.

Section 21. Any warden, deputy warden or ex-officio warden who shall fail to perform any act or duty placed upon him by this act, shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed in section 12 of this act.

Wardens should buy license early in the season and set a good example thereby.

Section 22. All monies received by the commissioner arising from the provisions of this act shall be deposited in the state treasury to the credit of the game protection fund, and said fund shall not be drawn upon or used for any purpose save such as is designated in this act.

Section 23. It shall be unlawful for any person in this state to kill, catch or have in his possession any wild non-game bird, or to take or destroy the nest of eggs of any non-game bird or to have the same in his or her possession. Such persons violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction, punished as is prescribed in section 12 of this act; provided this section shall not apply to the following birds: English sparrows, owls, hawks, eagles, crows, rice birds, *and field or meadow lark*; except persons may ship into this state birds mounted for millinery

Section 24. The game commissioner and wardens shall see that the laws pertaining to fish are rigidly enforced. purposes.

Oysters

Sections 1937-1957 Civil Code.

Section 1937. Unlawful to catch oysters from May 1st to August 31st. It shall not be lawful to pick, tong, dredge, or in any other manner take or catch oysters from any of the waters of this State, except from private beds, from the first day of May to the thirty first day of August, inclusive, of each and every year, except for the purpose of replanting the same in the waters of this State; nor shall it be lawful for oysters to be taken for any purpose during any season from one hour after sunset on Saturday until one hour before sunrise on the succeeding Monday.

Section 1938. Unlawful to rough take. It shall not be lawful to rough take and catch oysters from any of the public beds within the waters of this State, unless the same shall be culled over the beds from which they may be taken, except when the weather is such as to render it dangerous to remain at the beds; Provided, the terms of this section shall not apply to the taking of oysters for the purpose of replanting the same in any of the waters of this State.

Section 1939. Non-residents forbidden to procure beds in this State. It shall not be lawful for any person or persons, corporations, or agents thereof, who are engaged in any other State in the business of shipping or canning oysters, to procure the oyster beds of this State.

Section 1940. Unlawful to use scoop, etc, in certain waters. It shall not be lawful to take or catch any oysters in any of the waters of this State with or by a scoop, rake, drag, or dredge, or by the use of any other instrument than the oyster tongs heretofore in general use for taking oysters, except within the waters more than one thousand feet distance from the shore-line at ordinary mean low tide. Oysters may be taken by any means or device from any private bed by the owner or lessee thereof, and for the purpose of transplanting to other beds in this state from territory unleased within said limits of one thousand feet; but, in the last case, only upon the consent and approval of the county commissioners for the county within which said territory may be located, or upon the consent and

No true sportsman will decimate a covey of quail wilfully, two or three pairs should be left in every covey for the next season's propagation.

approval of the ordinary for those counties which may have no Board of County Commissioners.

Section 1941. Beds in water not wider than one hundred and thirty feet, private property. When oyster-banks or beds of oysters of natural formation are within rivers or creeks of this state, not exceeding one hundred and thirty feet in width at ordinary mean low tide, and not used for purpose of navigation, the persons having the ownership of the lands of both sides of such creeks or rivers shall have the exclusive right to the usufruct of said banks or beds of oysters as aforesaid; provided, however, that the rights of oppositeriparian proprietors shall only extend to the middle of the stream.

Section 1942. Leasing and striking lots. The county commissioners in any county, or where there is no board of county commissioners, the ordinary for said county, upon the application of any person for certain territory in any of the navigable waters of this state, and within a distance of one thousand feet from the shore at ordinary mean low tide, upon satisfactory proof, on hearing had before the county commissioners or the ordinary, that said territory has been duly staked off at the line of ordinary mean high water where the leased ground is opposite the public marshes of this state, and in all other cases at the line of low water, except where the consent of the adjacent landowners is obtained for the staking off at said line of high tide, for a period of thirty days before the hearing of such application, shall execute a lease for twenty years, with privilege of renewal for thirty years more, to such applicant as may first apply for such territory, where there are no natural beds as evidenced by the survey referred to in Section 1946. Any person who has already planted any ground within said county shall have the preference in obtaining the lease of such grounds; and upon application of any other person for said territory, the proper authorities for executing such leases shall give thirty days notice of such application, by posting a notice at the Court House door, and if the person who has planted oysters thereon shall make application therefor before the expiration of said thirty days, it shall be leased to him, but otherwise to the aforesaid applicant; provided, that the provisions of this section shall

A law breaker is a man who does not care for the law or understand its value to him and to the public. He is a criminal by nature, and a menace to society.

not apply to oyster beds staked out under laws heretofore existing, nor to territory within one hundred and twenty feet of the line of ordinary mean low tide in front of and adjoining habitable high land returned for taxation.

Section 1943. Planting-Ground, etc. Said lease shall convey the exclusive privileges of bedding or planting oysters thereon to the distance of one thousand feet beyond mean low water mark, and within such limits each applicant shall be entitled to not more than five acres of such territory, which need not be continuous, but within such allotment such lessee shall not be entitled to more than two planting places; provided, that such lessee deposit at least one hundred bushels of dead shells or plant one hundred bushels of oysters to every acre of planting ground, at the rate of one acre or more each year, until five acres have been planted; and provided also that he cause to be placed, at intervals of one hundred yards along the line of ordinary mean high water of such planting ground in all cases where the leased ground opposite to the public marshes of this state, and in all other cases at the line of low water, except where the consent of the adjacent landowners is obtained to the staking off at said line of high water, a post not less than six feet above the ground, and board attached, the latter not less than one foot square, upon which a black letter "O" not less than eight inches long has been plainly printed on a white ground; provided also that along navigable streams subject to entry under this Chapter the right of no lessee of a five acre tract shall extend beyond the middle of the stream; provided further, that in event that said lessee shall fail to comply with the requirements of this section as to the cultivation of his territory, he shall forfeit so much of his territory as has not been cultivated as hereinbefore required, and if said lessee shall, at any time during the term of his lease, abandon said territory and cease to cultivate oysters for the space of one year, said lease shall be void and territory shall revert to the State.

Section 1944. Notice of application for lease advertised. Upon the application of any person, or persons, made to the county commissioners of the county within which said territory may be situated. Or, where there are no county commission-

A sportsman is a hunter who enjoys a day in the woods; takes no advantage of the birds or his fellow man, who respects the law and the rights of others, and is willing to make sacrifices that there may be game in plenty another season.

ers, then to the ordinary for said county, for territory within the navigable waters of this State for which no application has already been duly made, and which is located more than one thousand feet distant from any shore line at ordinary mean low tide, upon which to cultivate oysters or propagate the same by artificial methods, which said application shall particularly describe the territory desired, said county commissioners or said ordinary shall require the applicant to advertise in the newspaper which is the official paper of the county in which the territory is located, for thirty days a notice of said application, particularly describing the territory desired and its location in reference to the nearest lands, and upon the expiration of said advertisement the said county commissioners or said ordinary shall grant, in the name of and in behalf of the State, to such person or persons, by written instrument a lease of such territory for fifty years for the purpose of cultivating and propagating oysters, and thereupon the person or persons to whom the same may be leased shall, under the direction of the county surveyor, distinctly stake or buoy the same, and shall cause a survey of said territory to be made and placed on file in the office of the clerk of the superior court for record with said lease; Provided that no applicants shall be entitled to receive from said authority a lease for more than five hundred acres within said waters; and provided further that the planting, cultivating and dredging of oysters therein shall in no wise interfere with navigation.

Section 1945. Lease within one thousand feet, when. Whenever it is impracticable to obtain as much as five hundred acres of continuous territory beyond the limits of one thousand feet from low water, or whenever, in the judgement of the county commissioners or the ordinary, it is for the best interests of the State so to do, said county commissioners or ordinary, upon due application thereof, may grant leases to extend within said limits of one thousand feet to the line of low water where the land adjacent thereto consists of marshes, and to a point one hundred and twenty feet from said line of low water where the land adjacent thereto is habitable high land returned for taxation. If impracticable to maintain the buoys in position, in consequence of the strength of the

A game Hog is a hunter who is never satisfied, and wants all of the game for himself. He has but little respect for the law or for the rights of his fellows in the field.

current, or for other cause, ranges and range-stakes, if shown on the survey recorded in the office of the Clerk of the Superior Court, shall be deemed sufficient.

Section 1946. Natural beds. The natural oyster beds of the State shall forever remain the property of this State, open to all her citizens for the procuring of oysters for consumption, sale seed, or propagation purposes; and for the better securing of this purpose, the charts made and published in consequence of a resolution passed by the Legislature of this State, by United States Geodetic Survey, known as "Bulletin No. 19" shall be evidence of the location of such natural oyster-beds and of vacant ground; Provided that wherever beds shown by said "Bulletin No. 19" to be natural oyster beds shall as a matter of fact not extend below low water mark, then the territory below low water mark shall nevertheless be open to lease. Except as herein stated, it shall not be lawful for the county Commissioners or ordinary to grant leases to any grounds shown on said "Bulletin No. 19" to contain a natural bed, and it shall be lawful for them to grant lease on any or all territory indicated on said "Bulletin No. 19" as vacant.

Section 1947. Tonging and catching at night. It shall not be lawful to tong or catch oysters between sunset and sunrise, unless as unobstructed light six feet above the gunwale be carried on board the boat used for such purpose.

Section 1948. Former leases validated. Nothing in this Chapter shall be construed to affect the titles of the leases of oyster territory which has heretofore been leased by county commissioners or ordinaries, and all leases executed by them before September 22nd, 1891, or any assignments which have been made of the leases of five acre tracts are hereby confirmed and validated.

Section 1949. Leased territory planted, how. Each person applying for and receiving a lease of five hundred acres or less shall plant at least one tenth of said leased territory, at the rate of not less than one hundred bushels of oysters or shells per acre, in each and every year, beginning with the planting season next after a lease therefor has been executed, and for a failure thereof the lease of said territory shall forfeit to the State so much of said territory as is not so culti-

A pot hunter is a hunter who kills everything in sight, flying or sitting, young or old. He is out for meat.

vated as prescribed by this section; and if said lessee shall at any time during the term of his lease abandon said territory and cease to cultivate oysters thereon for one year said lease shall be void and said territory revert to the State. Oysters shall not be taken from said territory for sale or for consumption until at least one year after oysters or shells have been planted thereon in the proportions hereinbefore prescribed.

Section 1950. Leases recorded. All leases and transfers thereof shall be recorded by the persons to whom such lease or transfers are made, in the office of the Clerk of the Superior Court, in like manner as deeds or real estate are required to be recorded, in a separate book to be kept for the purpose; but no lessee of tracts larger than five acres shall be authorized to sublet or assign his lease or any portion of the territory conveyed thereby, until he shall have reduced to cultivation at least one tenth of the territory leased by him.

Section 1951. One dollar per acre. The person or persons to whom such leases are made shall pay to the authorities making such leases the sum of one dollar for each and every acre so leased, and all money so paid shall be appropriated to the school fund of the State; and in addition to said sum, a fee of fifty cents for leases of five acre tracts or less, and for all leases of territory beyond said limit of one thousand feet a fee of two and one half per cent, estimated upon the amount paid for the territory thus leased, shall be paid to the authority making the lease.

Section 1952. Leases approved by attorney-general. The applications and leases, hereinbefore provided for, shall be in a manner and form as shall be approved by the attorney general of this State.

Section 1953. Removing oysters from private beds, or marks. It shall not be lawful, without authority from the owner or owners for any person to take or catch any oysters from any private bed, nor to remove or deface any oyster marks.

Section 1954. Returnable for taxation. The lessees of all such leased territory shall return the same for State

Organized sportsmen or game protective associations are of the greatest help to this department. Every county ought to have a gun club of some sort.

and County taxation in the same manner as other property is returned.

Section 1955. Rights of citizens protected. No provision of this Chapter shall be so construed as in any manner, during the open season herein provided, to abridge or interfere with the rights of any citizen of this state to enter upon and take from any public beds oysters by the use of such implements as may have been heretofore in general use in this state and no provision of this chapter shall be so construed as to interfere with or abridge the warfing privileges of riparian owners. It shall not be lawful for any applicant for territory upon which to replant oysters to receive a lease for any of the beds or planting grounds of any of the natural oyster beds which are restored to by the public for the purpose of procuring oysters by the use of tongs for consumption or sale.

Section 1956. Planted oyster beds protected. Where any person having taxable lands upon the banks or shores or any of the rivers or creeks of this State shall plant beds of oysters upon them, it shall not be lawful for any other person to take from such beds of oysters; Provided, the same shall be distinctly staked or other wise marked.

Section 1957. Exclusive right of certain land owners. When oyster banks or beds of oysters, of natural formation, be within rivers or creeks of this State, not exceeding one hundred and twenty feet in width, and not used for purposes of navigation, the persons having the ownership of the lands upon both sides of such creeks or rivers shall have the exclusive right to the usufruct of such banks or beds of oysters aforesaid.

Older Laws

O'POSSUMS.

Section 590 Criminal Code 1911. If any person shall hunt or catch o'possum between the first day of March and the first day of October of each year, he shall be guilty of a misdemeanor.

FISH LAWS

CRIMINAL CODE 1911.

Section 595. TIME WITHIN WHICH TERRAPINS MAY BE CAPTURED.

If any person shall capture terrapins in any of the rivers, estuaries, bays, sounds, creeks, or tide-waters of this State, by means of seines, nets, traps, of other device, from the first day of March to the twentieth-fifth day of July, he shall be guilty of a misdemeanor.

Section 596. FEMALE TERRAPINS OF CERTAIN SIZE NOT TO BE CAPTURED.

No person shall capture in any manner, or at any time, female terrapins of a less size than five and one half inches, measured lengthwise on the lower shell; and when any such terrapins are caught, they shall be at once returned to the waters from which they were taken. The violation of this section shall be a misdemeanor.

Section 597. POSSESSION EVIDENCE, EXCEPTION.

It shall be prima facie evidence of a violation of the provisions of the two preceding sections for any person, or persons to be found in possession of any terrapin of a less size than five and one half inches, measured lengthwise on the lower shell, at any season of the year, or of any terrapin of any kind between the first of March and the 25th of July; provided, that nothing in this section shall be so construed as to apply to persons owning and maintaining a bona fide and duly established terrapin crawl, or pen in which terrapins may be kept for the purpose of raising and cultivation.

The sportsmen of Georgia probably kill less than 25 per cent of the quail destroyed each year. Forest fires, floods, four footed animals, hawks and snakes all contribute to their destruction.

COUNTY LICENSE NOT GOOD OUTSIDE OF COUNTY OF RESIDENCE.

County license are good only in the county of the residence of the holder, or licensee.

The law is that "any resident of the State may procure a license to hunt in his RESIDENT county upon the payment of the sum of \$1.00."

Wardens are hereby instructed not to issue county license to any person except bona fide residents of their counties, and the public is cautioned that a county license in any county except that in which the purchaser resides and votes is not good, and will not be accepted by this department as a proper and sufficient license.

J. E. MERCER, Commissioner.

LICENSE REQUIRED AND CONSENT NECESSARY TO HUNT ANY KIND OR CHARACTER OF GAME.

The Court of Appeals has just decided the generally debated question as to whether license and consent are necessary to hunt animals not classified as game animals. In the case of *Blassingame vs. State* from the City Court of Madison, the Court says:

"1. The primary purpose of the Act of 1911 (Acts of 1911, p 137), is the preservation of the game specified in the act. As incidental to that purpose Section 7 of that act makes it unlawful for any person to hunt not only the game enumerated in the act, but any game or other animals not enumerated, either with or without a license, upon the land of another without first obtaining the consent of the land owner." * * * * * "This court holds that no kind or character of game, whether designated by the act or not, can be hunted without complying with the requirements as to license, and without first obtaining the permission of the land owner." * * * * * "The other exceptions is 'persons following hounds in pursuit of foxes or deer, or any other animal not mentioned in this Act'; and this simply means that where a hunter is lawfully hunting upon the lands of another with permission, and, in so hunting, the hounds find, upon the lands upon which he has permission to hunt, foxes, deer, or any other animal not mentioned in this act, and the game is pursued by the hounds, he may follow the hounds in pursuit on to land upon which he has no permission to hunt." * * * * *

Section 598. REGULATIONS AS TO NETS.

It any person shall at any time use any seine, net, trap, or other device for the capture of terrapins, with meshes or openings smaller than five and one half inches stretched, or four and one fourth inches loose measure, he shall be guilty of a misdemeanor.

Section 599. TURTLES, WHEN TO BE TAKEN.

If any person shall take turtles within tide-water at any time other than from the first day of May to the first day of September, he shall be punished as for a misdemeanor.

Section 600. FISHING REGULATED.

No person shall inhabit, occupy, or reside in any vessel, ark or flat on any river of this State, which shall not be engaged in the lawful commerce of said river in the carriage of goods or produce to or from market, unless owned by the proprietors of the shores, or their lessees; provided, nothing in this section shall be construed to prevent the owners of the land on said rivers, or their lessees, from taking fish in the river opposite their banks; but no seine shall be permitted to be used in said river either by such owners or lessees, from twelve o'clock Saturday night to twelve o'clock Sunday night; and provided also, that every lease or license to fish shall be recorded within ten days after the granting thereof in the clerk's office of the superior court of the county where the land lies. A violation of any of the foregoing provisions shall be punished as for a misdemeanor.

Section 601. ILLEGAL FISHING

No person, other than the proprietors of the shores and banks of salt creeks, estuaries, and rivers, (or such person as shall be by any such proprietor authorized,) shall take fish, or attempt to do so, with any line, net, or contrivance, on any estuary, or river, where an artificial shell-reef, beds or fishing grounds have been constructed within one hundred yards thereof. Nor shall one proprietor construct or use such places opposite the shore or bank of another proprietor beyond the center of creek, estuary, or river opposite his own shore or bank. Any person violating the provisions of this section shall be guilty of a misdemeanor.

Section 602. TRAPS, ETC., UNLAWFUL, EXCEPT BY
CONSENT.

If any person shall put any trap, wire, trot-line set-line, or other like contrivances, for catching fish for sale, in any of the lakes or other waters of the State, upon or within the lands of another, without the written consent of the owner thereof, he shall be guilty of a misdemeanor.

Section 603. TRAPS, OBSTRUCTING PASSAGE OF
FISH.

If any person shall place in the waters of any river or creek, or any fresh water drain, any dam, trap, net, seine, or other device for catching fish, unless the main channel of such stream is left open for a space of ten feet for rivers and one-third channel of creek, at low-water mark, unobstructed for the free passage of fish up or down such stream, he shall be guilty of a misdemeanor, and the sheriff of the county, upon complaint of persons in the territory of such obstruction shall have authority to break open any dam, net, or other obstruction that may be placed in such waters in violation of this section. This section does not apply to dams for milling or manufacturing puposes. The words "low-water mark" shall not apply to fresh water drains.

Section 604. KILLING FISH WITH DYNAMITE OR FIRE-
ARMS.

If any person shall use firearms, dynamite, or other explosive or destructive substances for the purpose of killing fish, he shall be guilty of a misdemeanor.

SHAD.

Section 605. NETS, ETC., EXTENDING TO OR OBSTRUCT-
ING MORE THAN ONE-HALF THE STREAM.

If any person shall use nets, seines, or other contrivances covering, extending to, or obstructing more than one-half of the stream, for catching or taking shad in any of the streams of this State, he shall be guilty of a misdemeanor.

Some quibble about "God-given rights," one "God-given right" is the right to have the laws of the land enforced; see that that is the case in your county.

Section 606. CLOSED TIME AND MESHES OF NETS FOR SHAD.

There shall be a "closed time" for the rivers in which shad are caught, of forty-eight hours; commencing at sunrise on Saturday morning of each week, and ending at sunrise on Monday morning of the next week, during which "closed time" no shad or other migratory fish shall be caught by nets, wires, pounds, or any other means whatever; neither shall such nets, wires, pounds, or other apparatus be left in said rivers during said "closed time." The meshes of nets or other apparatus for catching said fish shall not be less than five inches.

Section 607. WHEN SHAD MAY BE TAKEN.

No shad shall be taken, except between the first day of January and the twentieth day of April of each year, except for spawning purposes, to carry out the provisions of the law for propagating fish.

Section 608. PENALTY.

A violation of either of the two preceding sections shall be a misdemeanor.

Section 609. SEINING OR NETING FOR MOUNTAIN TROUT.

If any person shall seine or net for fish in any of the streams in which mountain trout exist, or be placed, he shall be guilty of a misdemeanor.

Section 611. POISONING FISH—POLLUTING WATER.

Any person who shall directly by himself, or by aiding or abetting others, put walnut hulls, walnut leaves, devil shoe-strings, or any poisonous substance whatever of any kind in any waters, either running streams or standing waters, such as lakes, ponds, or eddy places in any river or creek within the limits of this State, which will be likely to drive away or poison the fish therein by contaminating said waters, shall be guilty of a misdemeanor.

The most popular officer is the officer who does his duty, and the most popular is a law that is enforced.

Section 612. CLOSED PERIOD FOR FISHING EXCEPT
HOOK AND LINE.

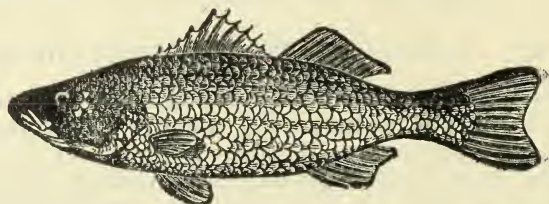
If any person shall catch or take any fish with seine, net, gig, or spear, or like device from any of the waters of this State, between the first day of February and the first day of July in each year, except with hook and line, he shall be guilty of a misdemeanor.

Section 613. SHAD DATES EXCEPTION.

In the case of shad the above prohibition as to dates shall apply only between the 15th of April and the 1st of July.

Section 614. DRIFT-NETS, WHEN THEY SHALL NOT BE
USED.

Whoever shall catch any shad or other fish, or use for the purpose of catching shad or other fish, in any of the waters of this state, any net or nets known as drift-nets, between the hours commencing at sundown on Thursday of each week and ending at sunrise on Monday morning of the next week, shall be guilty of a misdemeanor.



OYSTERS

THE CRIMINAL LAW.

Section 615. TIME FOR TAKING OYSTERS.

If any person shall prick, tong, dredge or in any other manner take or catch oysters from any of the waters of this state, except from private beds, from the first of May to the thirty-first day of August, inclusive, except for the purpose of replanting the same in the waters of this state, or shall take them for any purpose during any season from one hour after sunset on Saturdays until one hour before sunrise on the succeeding Mondays, he shall be guilty of a misdemeanor.

Section 616. UNLAWFUL TO ROUGH TAKE OYSTERS.

If any person shall "rough" take or catch oysters from any of the public beds within the waters of this state, unless the same shall be culled over the beds from which they may be taken, except when the weather is such as to render it dangerous to remain at the beds, he shall be guilty of a misdemeanor. This section shall not apply to the taking of oysters for the purpose of replanting the same in any waters of this state.

Section 617. TAKING OYSTERS FROM PRIVATE BEDS, OR REMOVING OYSTER-MARKS.

If any person shall, without authority from the owner, take or catch oysters from any private beds, or remove or deface any oyster-marks, he shall be guilty of a misdemeanor.

Section 618. HOW OYSTERS MAY BE TAKEN.

If any person shall take or catch oysters by the use of any other instrument than the oyster tongs heretofore in general use for taking oysters, within the waters less than one-thousand feet distance from the shore line at ordinary mean low tide, he shall be guilty of a misdemeanor.

Section 619. EXCEPTIONS.

The foregoing section does not apply to oysters taken by any means from private beds by the owner or lessee thereof. Nor does it apply to oysters taken from unleased territory

Law enforcement is important to all good citizens. The enforcement of the game law is most important for us.

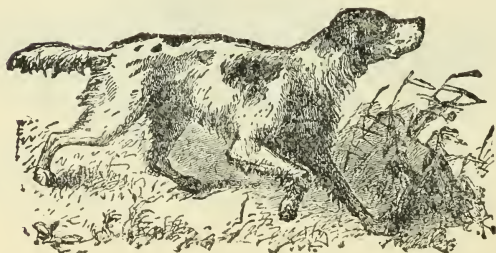
within said limits, for the purpose of transplanting to other beds in this state, with the consent and approval of the ordinary and board of county commissioners as provided by law.

Section 620. CERTAIN PERSONS SHALL NOT PROCURE OYSTER BEDS IN THIS STATE.

If any person, corporation, or agents thereof, who are engaged in any other state in the business of shipping or canning oysters, shall procure oyster beds of this state, it shall be a misdemeanor.

Section 621. TONGING OYSTERS AT NIGHT.

If any person shall tong or catch oysters between sunset and sunrise, unless an unobstructed light, six feet above the gunwale, be carried on board the boat used for such purpose, he shall be guilty of a misdemeanor.



Posting Land and Registration

Section 1958. Hunting on the land or fishing in the water of another. If any person shall hunt with dogs, firearms or in any other way on any lands, enclosed or unenclosed of another, or fish with hook, seine, nets, or in any other way in any streams, lakes, ponds, or lagoons of another after being forbidden so to do or when ordered to desist there from by the owner thereof, or by the person having the same in charge, or his agent, such person shall be guilty of a misdemeanor. It shall be the duty of the landowners to post a notice in two or more places on each tract of land owned by the party posting the same, forbidding all persons to hunt thereon or fish in the streams, ponds, lakes, or lagoons belonging to said landowners thereof. When said lands are so posted such posting shall be held and deemed a legal notice under this section.

Section 1959. It shall be the duty of the ordinaries of the several counties of this State, or the commissioners of roads and revenues in such counties where boards of commissioners of roads and revenues exist, to furnish a suitable book, to be known as "the register for posting lands," to the clerk of the superior court of their respective counties, in which the landowner shall register his or her name, after having first stated in the presence of the officers in charge of said book that the two notices have already been posted upon said landowners land, as required by the preceding section.

Section 1960. The posting of the notices at two or more places on each tract of land (although such notices, from any cause, should thereafter be defaced, knocked down, or destroyed) and the registering of the landowner's name in the book, to be kept for that purpose in the office of the clerk of the superior court of each county in this State, shall be a legal notice under this section.

Section 1961. It shall be the duties of the receivers of tax returns of the several counties of this State to carry said register for posting land with them on all their rounds when receiving tax returns, and all landowners who have placed a notice at two or more points on their land as required by this Chapter, are hereby authorized to register their names in the register for posted lands in the presence of the tax receiver of their county, in the same way as if registered in the presence

of the clerks of the superior courts of their several counties; it being the intention of this Chapter to permit the landowners to register their names in the register for posted lands, either in the presence of the clerk of the superior court of their county, or in the presence of the receiver of tax returns of their county. At the time of the registering of the names of the landowner, he shall also register a description of the lands that have been posted, giving the district in which said lands are located and either the numbers of the lots or other description of the land sufficient to put the public on notice of lands referred to. For registering said name and description the officer in whose presence the registry is made is authorized to charge and collect a fee of twenty-five cents from the person so registering.

Section 1962. The book known as the "register of posted lands" shall be kept in the office of the clerk of the superior court, except while being used by the receiver of tax returns while making his rounds; it being the purpose of this Chapter to provide either the parties posting lands, as well as the parties desiring to hunt or fish, the privilege and opportunity to examine said register.

The Law and the Land Owner

The new law is aimed primarily at the "game hog," who is not satisfied with a reasonable amount of game; and the "pot hunter," who scours the woods and drags the streams in search of game and fish for the market, and who has no regard for the law, or the rights of the land owners; who tears down or shoots down the trespass notices and who would soon entirely destroy the most desirable game. Under the new law everybody's land is "posted," and it is a crime for any man to go on the lands of another for the purpose of hunting without the land owner's consent. The land owner is relieved of the embarrassment of the prosecutions by the machinery of the present law, which requires the wardens and deputy wardens to prosecute. A land owner may not be willing to see his game and fish killed, caught and destroyed by others, and yet not be disposed to prosecute, even call the matter to the attention of the grand jury, and the new law relieves him of that necessity. The law is automatic and provides strong

The game law was unpopular to begin with, already it is popular. Let's make it the most popular of all the state laws.

inducements in the form of fees and fines, and in addition makes it a misdemeanor for warden or deputy warden to fail in his duty, see section 21 on page 11.

Poisoning and Dynamiting Fish

Probably the ugliest crime connected with the destruction of game and fish, and one that is devoid of the semblance of sport, is the practice of poisoning the waters, or dynamiting the ponds and streams, destroying all life for the sake of a day's supply of fish. For a mess of flesh many average citizens have been thoughtless enough to at least aid and abet in this inexorable practice. IT IS THE FIXED POLICY OF THIS DEPARTMENT TO RELENTLESSLY HUNT DOWN AND VIGOROUSLY PROSECUTE EVERY PERSON PARTICIPATING IN SUCH INFRINGEMENTS OF THE LAW. And the department should have the assistance and encouragement of every good citizen in checking this tremendous draft on the supply of fish; and to restore to a normal condition the fishing waters, an abundant supply of fish in every stream of the state.

Dove Baiting

Next to dynamiting fish is the barbarous practice of baiting doves and slaughtering them by the thousand. Certainly it is great sport, but the morbid fascination leads to the destruction of large numbers, often five and six thousand in a single morning in one small field, a wanton destruction of the finest of game birds. But let us hope that this has become a reminiscence, that it has passed into history to be remembered by future generations as a species of barbarism. It must not be attempted in Georgia now, and every warden or deputy warden who fails to do his duty in bringing into court those who infract this wholesome provision of the law will surely receive the censure of this office; and every good citizen who fails to report such violations should be censured by a quickened conscience. Let's have no more dove baiting in Georgia.

To permit one hunter to shoot before the season opens gives an excuse for breaking the law to every other citizen in the county.

The Protection of Migratory Birds

There are those who claim that because doves and ducks are of a migratory nature that to kill them in large quantities does not materially effect the supply. It's a selfish view of the matter, to assume that the laws of Georgia, or any other state, should totally ignore the rights of the people in any other state, or the rights of the generations to come, for it is the coming generations who will enjoy the full fruition of our present excellent laws. The robin is another migratory bird that deserves our careful protection. They are loved and petted by the people in the states to the north of us where they nest in summer. Because they are migratory is no reason why they should be wantonly destroyed during their short winter visits. They are good insect destroyers.

National Protection

To insure the preservation of migratory birds, national laws are necessary and inevitable for we are making progress in that direction. Several bills now before Congress on that subject will probably become laws before the end of the present term.



UNIFORM GAME LEGISLATION.

Suggestions Submitted by a Special Committee at the Recent Convention of the National Association of Game and Fish Commissioners at Denver.

At the sixth biennial convention of the National Association of Game and Fish Commissioners, held in Denver, Aug. 31, 1912, a motion was made by Commissioner H. C. Davis, of Delaware that a standing committee of five be appointed to promote greater uniformity in the game laws of the several States. This motion, after general discussion, was unanimously adopted, and the president appointed as members of the committee the State Warden of Tennessee, Col. J. H. Acklen, as chairman, the Commissioners of Delaware, Georgia and South Dakota, and the President of the American Game Protective and Propagation Association.

The committee, after careful consideration of existing provisions in the several States, and after consultation with members of the National Association of Audubon Societies and the United States Biological Survey, concluded that it would be impracticable, on account of constitutional limitations and diversity in the form of State laws, to attempt to draw up a game law suitable for adoption in all of the forty-eight States. The committee does not feel that with the limited time at its disposal for the preparation of a preliminary report, that it can do more than make a few recommendations regarding certain important principles, and must leave to the officers in each State the formulation of amendments covering such points as may meet with approval in such manner as will best conform with the statutes of that State.

Commissioners are urged to consider these recommendations in connection with their annual reports, to suggest to the committee other subjects in which greater uniformity is most needed, and to send a copy of such suggestions to the United States Biological Survey.

Some very good citizens make very poor wardens. They are not willing to take the brunt of enforcing a good thing.

RECOMMENDATIONS.

General.

(a) That in drafting game laws the plan of a "Permissive Law," as originated in Colorado and recently incorporated in the conservation law of New York and other states, be adopted so far as possible. This plan simplifies the law, directs attention to proposed amendments, and avoids special legislation to meet new methods of hunting or changes in the condition of game.

(b) That local legislation be reduced to a minimum, and in order to meet the demand for such legislation, broader powers be conferred upon State authorities to provide, when necessary, after due notice and public hearing, special protection for certain kinds of game, or for closing the seasons in certain sections of the State.

(c) That the game laws be made as simple and as few in number as possible, and except in special cases, single propositions should not be made the subject of separate bills, but that generally bills for the protection of fish should be kept separate from those providing protection for game.

(d) That modern, comprehensive, general laws are greatly needed in a few States, notably in Arkansas, Florida, Maryland, Mississippi, Nevada, North Carolina and Virginia.

Administration.

(a) That provision be made for the enforcement of the game laws by State officials or commissioners in Arkansas, Florida, Mississippi, Nevada and Virginia.

(b) That the term of office of commissioners should be not less than four years in the States of Arizona, Connecticut, Georgia, Idaho, Maine, Utah, New Mexico, Pennsylvania, Rhode Island, South Dakota, Vermont and Wisconsin.

No man, however, active, can accomplish effective work within two years, one of which is necessarily spent in becoming familiar with the duties of the office. Frequent changes in the head of the department are not conducive to efficiency or economy of administration.

Georgia's partridges are for Georgia's sportsmen, and they ought to be willing to enforce a rule that gives each one an equal showing.

(c) That the only satisfactory enforcement of fish and game laws can be secured through the game warden system. Merit and efficiency only should be considered in the appointment of wardens or their retention in service.

(d) That the warden service should be divorced as far as possible from politics. In making this recommendation the committee invites attention to the merit system as now applied to the appointment and promotion of regular salaried wardens in the States of Massachusetts, New York, New Jersey and Wisconsin.

Seasons.

(a) That shooting in the breeding season, in summer or during spring migration, be universally prohibited, especially in the case of ducks, woodcock, and other migratory birds.

(b) That so far as possible the opening dates of the hunting season in neighboring States be made identical.

(c) That in order to secure uniformity in the legislation of the Northern States and to insure the permanent preservation of migratory birds on their former breeding grounds, spring shooting in the States north of latitude 37 degrees be absolutely prohibited, notably in the States of New Jersey, Delaware, Pennsylvania, Maryland, Virginia, West Virginia, Michigan, Ohio, Kentucky, Illinois, Indiana, South Dakota, Missouri, Nebraska, Iowa, Kansas, Colorado and Wyoming.

(d) Prairie Chickens—That the open season for hunting prairie chickens should not in any case exceed thirty days. These birds have now become so generally reduced in numbers and their range so restricted that hunting should be so limited as to enable them to increase in the States where they still remain.

(e) Doves—That in the States which now provide no close seasons for doves, namely, Virginia, Florida, Kansas, Oklahoma and Nevada, adequate protection should be given these birds. That in the states north of latitude 37 degrees doves should be protected throughout the year, namely in Pennsylvania, Ohio, Illinois, Missouri, Nebraska, Colorado and Oregon, in order that they may have the same protection which they enjoy in other States in this zone. That in the Southern

States where seasons are so varied in point of time the open season should be restricted to three months or less, the dates to be determined by the respective States.

(f) Shore Birds—That the upland plover and the smaller shore birds, including the killdeer, and other small plover and sand-pipers be removed from the game list and given protection at all seasons.

(g) Wood Duck—That on account of the rapid decrease in numbers and danger of extermination in some States, the wood ducks should be treated separately from other ducks and water fowl in the game law and whenever possible should be protected throughout the year, particularly in the New England, Middle and Lake States. Summer shooting should be prohibited and the bag limit should not exceed fifteen birds per day.

(h) Ducks and Geese—That reasonable open seasons should be provided for ducks and other water fowl in the States of Arkansas and Texas, which hitherto have provided no close season for these birds.

(i) Swans—That on account of its increasing rarity, swans and sandhill cranes should be removed from the game list and protected throughout the year.

Big Game.

(a) That female and young of all big game should be protected at all seasons in every State. Twenty States have already enacted the so-called "Doe-Law" with eminently satisfactory results.

(b) That due provision should be made for the propagation and transfer of big game in each State.

(c) Elk—That a definite and comprehensive policy be adopted by the several States and the general Government looking to the permanent preservation of elk now remaining in the Rocky Mountains and Pacific States; that due provision be made for propagation and for adequate winter range, but

Sportsmen's guns do not destroy 'half the partridges that are lost every year. There are four-footed animals, snakes and hawks, and in South Georgia forest fires, and sometimes floods; all take their toll.

in transferring animals from one State to another, elk of one species should never be liberated in a region inhabited by a distinct species.

(d) The seasons for antelopes should be kept closed for the present in all the States.

Sale.

That sale of any game where permitted, should be carefully regulated under comprehensive tagging system similar to that recently adopted in New York and Massachusetts, in order to prevent illegal traffic in game, and to simplify the enforcement of laws relating to sale of game.

Licenses.

That a mandatory dollar resident hunting license be provided in the States of Maine, Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Florida, Tennessee, Mississippi, Arkansas and Ohio, as the best and most satisfactory method of raising revenue for the protection of game, or establishing a salaried warden system and for properly regulating hunting.

(a) That a seasonal limit on deer be established in every State where deer hunting is permitted, and that this limit should not exceed two deer per season, particularly in the States of Virginia, South Carolina, Georgia, Florida, Mississippi, Louisiana, Texas, Missouri and Oregon.

(b) That reasonable bag limits be provided for game birds in the States of Arkansas, Kentucky, Rhode Island and Virginia, which now have no restriction on the amount of game which may be killed or captured in a day or a season.

(c) That the daily limit should not exceed twenty-five birds per day, and that in the case of water fowl, a weekly bag limit should be provided in addition to the daily limit.

Non-Game Birds.

(a) That the model law recommended by the National

When we have learned to take care of the partridges we have, it will be plenty time to import other game, such as Hungarian partridges and pheasants.

Association of Audubon Societies for the protection of non-game birds be enacted in the States of Maryland, Kansas, Nebraska, Idaho, Montana, Utah, Nevada, Arizona, and New Mexico, in order to make legislation of this character uniform throughout the union.

(b) That legislation regulating the traffic in aigrette or heron plumage be enacted in Pennsylvania, Maryland, Georgia, Illinois and such other States as have not yet extended proper protection to these birds, now nearly extinct.

Game Refuges.

It is recommended that encouragement be given for the propagation of fish and game animals and game birds in the various States under the provision of the State Game Authorities.

Inasmuch as game refuges afford the most effective means of protecting the scattered remnants of our native game, it is strongly recommended that every State should have one or more State refuges. Commissioners and wardens should be given adequate authority to arrange for refuges on private or State lands, and to co-operate with the proper officers of the Federal Government in the establishment of such refuges on public lands not now utilized for other purposes.

Federal Legislation.

Attention is called to certain bills now pending in Congress providing for Federal jurisdiction of migratory birds and the establishment of National Game Preserves. The Weeks bill (H. R. 36) and the McLean bill (S. 6497) relating to migratory birds are now on the calendars of the House and Senate. The Cantron bill (S. 6942) establishing a game preserve at the headquarters of the Pecos River in New Mexico has already passed the Senate, and the Kent bill (H. R.) and Perkins bill (S. 6109) providing for Federal game refuges, are in the House Committee on Agriculture and on the Senate calendar respectively. Commissioners should carefully consider these measures and give them such support as they can through their Senators and Representatives.

J. H. ACKLEN, Chairman.

Wiregrass Georgia affords the finest quail shooting in the world, the abundance of quail and the forest conditions considered.

The Game Law and Its Benefits

The new Georgia law primarily protects the rights of the land owner and of the true sportsman and as a rule they are its best friends. The restrictions of the right to hunt and fish has the salutary effect of reducing the number of those who visit the fields and streams for the purpose of taking game, thereby giving a corresponding advantage and opportunity for the game to increase; the natural result is that the number of legitimate sportsmen is really increased under the system, for the wearied business man will now find inducements to go into the woods and to visit the rivers and creeks in search of game and fish. But that is not the most important advantage of our warden-enforced laws, which establishes a reasonable rule for the guidance of all and under the operation of which the selfish and gluttonous is deprived of the advantage he has in the past taken of the more reasonable citizen, who has, under the old system, been at a disadvantage with the "game hog" and the "pot hunter." Let every man observe the rules or make up his mind to abide by the consequences, for this department will make it uncomfortable for him. He should not want to take advantage of his neighbor by hunting out of season or killing game that is protected under the law, which is nothing more than taking a mean advantage of his law-abiding neighbor. But possibly the greatest of all advantages or benefits from the law is that it will restore to Georgia's forests, fields and streams an abundance of game, birds and fish for the enjoyment of all the people, and for the protection of the crops and of life itself. There are those who believe that the destruction of birds has given an unnatural advantage to insect life, resulting in the destruction of crops and, sometimes, in greater calamities. The best informed men, who have studied the subject, believe and argue with reason that the Bob White partridge, familiar in every county in this state, is our best protection against the dreaded boll weevil.

Game and Fish Department Self-Sustaining

Only those who enjoy hunting the game that is protected by this department are called upon to support it. Not a dollar

Let us be sure that the wild turkey does not become extinct; it is every sportsman's duty to look to their protection.

can be taken from the tax payers to pay any part of the expenses of the administration. The Commissioner, carrying out the idea, has paid for the furniture in his office in the State Capitol and for all printing for the department out of the revenues arising from the sale of license. Not a dollar has been taken from the State Treasury, on the other hand quite a nice sum will be given by this Department to the State School fund each year.

The Department is entirely dependent on the very reasonable fees charged for hunting license, which amount to more than enough to meet all expenses, leaving the fines and penalties or that part of them reserved to the State after paying for prosecution, entirely for the school fund. Thus the infractors of the law, (those who are not willing to abide by the rule that has been established for the government of all hunters) will have the satisfaction, at least, of knowing that the State's share of the fine money will go for the education of the children, who we hope, will support rather than infract so good a law.

Public Sentiment

Public sentiment, usually against any law until it has been tried, is rapidly crystalizing in favor of the strict enforcement of the new game law. The public demands the prosecution and conviction of those who violate the law. Unless the law is evenly enforced it would naturally become unpopular and difficult to enforce at all, and this department may be expected to use every legitimate means to secure a uniform observance of its provisions in every county of Georgia. A healthy public sentiment is essential to the successful and uniform enforcement of the law and for that reason the department will distribute in every county in the state this booklet and other literature calculated to prepare the public mind for the strict enforcement of the law. The commissioner believes that, generally, county officers have been rather lax in the matter of law enforcement, and every intelligent man understands that the failure to enforce one law leads to the violation of others.

All licenses expire on February 20th, regardless of the date of issuance. The open season for ducks expires April 20th. Doves, partridges turkeys and plovers March 1st; summer ducks January 1; deer December 1st, cat squirrels January 1st. Pheasants and grouse are very scarce and confined to few mountain counties. Section 16 protects them absolutely.

We appeal to every law abiding citizen to put the weight of his influence on the side of the law enforcement, if that is generally done the new game law will soon become one of the most popular of the Georgia statutes.

The Warden's Duty

The duty of the county warden and his deputies is plain as laid down in the law, but when left to act upon their own initiative it is natural that even the best of them will become indifferent, or at least forgetful of the important work they have in hand, as they become absorbed in their business affairs particularly in the closed season when the fees are light and prosecutions are infrequent. For that reason this central office has been established, and it will be our pleasure and duty to constantly remind the wardens of the necessity for vigilance and strict enforcement by prosecution, if necessary, of those who are willing to break the law. Wardens are warned against rash and ill advised prosecutions; and this department will undertake to discourage any warden who uses his office to gratify a spleen he may hold against his neighbor. He must know the difference between persecution and prosecution; and while the law should be enforced evenly, it is not necessary to enforce it rashly. It is the duty of the warden to so conduct his prosecutions as to make friends of the neighbors of the violator he prosecutes. It should be his purpose to see that the game law is the most popular as well as the best enforced law in the state, and to do that there must be no discrimination between persons or classes. When in doubt, write, wire or 'phone this office. We are here to be troubled.

Some Questions Answered

The law plainly requires a license to hunt, the kind of game hunted is not material; indeed a man may go out to hunt squirrels and kill a bear, bird hunters are liable to shoot a rabbit and vice versa. If a person goes equipped with gun and dog into the forests or fields the presumption is he is

Doe, fawn and turkey hens are protected until December 1, 1916, and will probably be protected after that date, unless they multiply very rapidly.

"hunting," and to do that he should have a license if he is out of his own militia district, and permission if not on his own land. Sometimes a prosecuting warden may fail to convince a petty jury but that should not be permitted to discourage the warden, his duty is to prosecute when he thinks he has evidence that the law has been violated.

The law does not require a license to fish, but it does require permission of the land owner, and that is probably the most important feature of the law.

It is against the law to take fish in any manner except with hook and line between February 1st and July 1st, and this applies to ponds wholly within one man's land line as well as streams that cross many land lines. No man should want to fish his private pond in the spawning season in a manner that would destroy the spawn and hatching fish. The law seems to contemplate that it is improbable if not impossible to maintain a fish pond so isolated that it will not at times of high water connect with other waters, permitting its fish life to become distributed in the waters on other lands.

O'possums are not game animals under the law, only deer and squirrels are so designated, but o'possums are protected during the breeding season between the first day of March and the first day of October, under an old statute, section 590 of the criminal Code of 1911. There is no law against o'possum hunting at night in open season.

It is not necessary for a warden or deputy warden to know of his own knowledge that the law has been violated, but he has to swear "to the best of his knowledge and belief" and should do that where he feels confident that he can produce convicting evidence.

The law permits one exception in the matter of land owners consent and that is "following hounds in the pursuit of foxes or deer" and as that provision contravenes the law of trespass the privilege should be cautiously exercised.

When a warden or deputy warden accepts a commission from this Department he is bound under section 21 of the act of August 21st, 1911 to enforce the law, or lays himself liable as for a misdemeanor.

If the game laws are well enforced we will have an abundance of game and satisfied sportsmen, otherwise we had better give up the fight.

Fur trapping or the sale of furs are not interfered with except that trapping may be considered hunting and the trapper required to pay a hunter's license and to have the consent of the land owner.

Under the law any person has a right to hunt without a license on his own land in any or several counties, even if the land owner is a non-resident. But the law does not contemplate that the friends, relatives or members of the immediate family of the land owner may exercise the privilege of hunting on his land without the payment of license, or without the consent of the actual owner of the land.

Wardens and deputy wardens are required to procure and pay for license to hunt the same as other people.

Where streams are land lines the consent of the owner of the land on either side gives the rights only so far as the description set out in the deed indicates. The right or left bank or center thread of a stream may be designated as the boundary line. Of course these hair splitting matters are largely for the courts and juries to decide; what we say here is merely directory and for the guidance of wardens and deputies in bringing prosecution.



The Lacy Law

(Federal.)

The act of May 25, 1900, commonly known as the Lacey Act (1) places the preservation, distribution, introduction, and restoration of game and other birds under the Department of Agriculture; (2) regulates the importation of foreign birds and animals, prohibiting absolutely the introduction of certain injurious species; and (3) prohibits interstate traffic in birds or game killed in violation of state laws. The Act reads as follows:

An Act.

To enlarge the powers of the Department of Agriculture, prohibit the transportation by interstate commerce of game killed in violation of local laws, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That the duties and powers of the Department of Agriculture are hereby enlarged so as to include the preservation, distribution, introduction, and restoration of game birds and other wild birds. The Secretary of Agriculture is hereby authorized to adopt such measures as may be necessary to carry out the purposes of this act and to purchase such game birds and other wild birds as may be required therefore, subject, however, to the laws of the various states and territories. The object and purpose of this act is to aid in the restoration of such birds in those parts of the United States adapted thereto where the same have become scarce or extinct, and also to regulate the introduction of American or foreign birds or animals in localities where they have not heretofore existed.

The Secretary of Agriculture shall from time to time collect and publish useful information as to the propagation, uses, and preservation of such birds.

And the Secretary of Agriculture shall make and publish all needful rules and regulations for carrying out the purposes of this act, and shall expend for said purposes such sums as Congress may appropriate therefor.

Section 2. That it shall be unlawful for any person or

Let every county sportsman club see that the law is best enforced in their county.

persons to import into the United States any foreign wild animal or bird except under special permit from the United States Department of Agriculture: Provided. That nothing in this section shall restrict the importation of natural history specimens for museums or scientific collections or the importation of certain cage birds, such as domesticated canaries, parrots or such other species as the Secretary of Agriculture may designate.

The importation of the mongoose, the so-called "flying foxes" or fruit bats, the English sparrows, the starling, or such other birds or animals as the Secretary of Agriculture may from time to time declare injurious to the interest of agriculture or horticulture is hereby prohibited, and such species upon arrival at any of the ports of the United States shall be destroyed or returned at the expense of the owner. The Secretary of the Treasury is hereby authorized to make regulations for carrying into effect the provisions of this section.

Section 3. That it shall be unlawful for any person or persons to deliver to any common carrier or for any common persons to deliver to any common carrier, or for any common carrier to transport from one state or territory to another state or territory, or from the District of Columbia or Alaska to any state or territory or from any state or territory to the District of Columbia or Alaska, any foreign animals or birds the importation of which is prohibited, or the dead bodies or parts thereof of any wild animals or birds, where such animals or birds have been killed in violation of the laws of the state, territory, or district in which the same were killed: Provided. That nothing herein shall prevent the transportation of any dead birds or animals killed during the season when the same may be lawfully captured, and the export of which is not prohibited by law in the state, territory, or district in which the same are killed.

Section 4. That all packages containing such dead animals, birds or parts thereof, when shipped by interstate commerce, as provided by in section one of this act, shall be plainly and clearly marked so that the name and address of the shipper and the nature of the contents may be readily ascertained on inspection of the outside of such packages. For each evasion or violation of this act the shipper shall, upon con-

Don't forget that it is your duty to report violations to this office. We will treat your report confidentially and try to enforce the law better in your county.

viction pay a fine of not exceeding two hundred dollars, and the consignee knowingly receiving such article so shipped and transported in violation of this act shall upon conviction, pay a fine of not exceeding two hundred dollars; and the carrier knowingly carrying or transporting the same shall, upon conviction, pay a fine not exceeding two hundred dollars.

Section 5. That all dead bodies, or parts thereof, of any foreign game animals, or game or song birds, the importation of which is prohibited, or the dead bodies, or parts thereof, of any wild game animals, or game or song birds transported into any state or territory, or remaining therein for use, consumption, sale or storage therein, shall upon arrival in such state or territory be subject to the operation and effect of the laws of such state or territory enacted in the exercise of its police powers, to the same extent and the same manner as though such animals and birds had been produced in such state or territory, and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise. This act shall not prevent the importation or transportation or sale of birds or bird plumage manufactured from the feathers of barn yard fowl.

Approved, May 25, 1900.

What Other States And The National Government are Doing For the Protection of Game.

The thirteenth annual directory of officials and organizations concerned with the protection of birds and game in the United States and Canada has been arranged on the same plan as the directors issued each year since 1900, and has been revised to August 1, 1912.

The object of this directory is to present, in convenient form, the names of persons to whom application may be made for information respecting game laws. It also shows the date of establishment of each State commission or wardenship, the changes which occur in such offices, and the publications issued by game officials. As many of the present fish and game commissioners originated as fish commissioners, the year when each

was established and that in which it assumed jurisdiction of game are given. The most important changes during the past year were the new game commissions established in Georgia and Kentucky, the American Game Protective and Propagation Association incorporated in New York, and the new organizations formed in Arkansas and Texas.

In 44 States and Territories the enforcement of game laws is intrusted to game commissioners, wardens, or other State officers; in 3 others—Florida, Mississippi, and Nevada—to county wardens; in Virginia to city and magisterial district wardens; in Arkansas to sheriffs and similar local officers; and in the District of Columbia to the Metropolitan police. The first special game officials were the local officers appointed in Massachusetts in 1739 for the preservation of deer, and called deer reeves in 1764. Moose wardens were appointed in Maine in 1852, and ducking police in Maryland in 1872. The first State commissions whose jurisdiction was extended to include this work were the fish commissions of California and New Hampshire in 1878. Several national organizations are interested in the protection of birds and game, of which two are really international. In addition, State associations and many local organizations co-operate in the work of protecting game in 27 States. One of these associations was organized in 1844, another in 1865, and a third in 1871. Similar organizations have been formed in 8 Provinces of Canada, of which one in Nova Scotia was established in 1853 and one in Quebec in 1859. Finally 38 states have Audubon Societies organized especially for the study and protection of non-game birds.

Persons interested in game protection are requested to notify the Biological Survey of any errors or changes in addresses in order that necessary corrections may be made in future editions of the directory.

A warden enforced game law is the only game law that counts.

FEDERAL OFFICIALS.

United States Department of Agriculture.

(Jurisdiction extended to game protection by act of May 25, 1900).

Secretary of Agriculture, James Wilson, Washington D. C.
Chief of Biological Survey, Henry W. Henshaw, Washington, D. C.

Assistant Chief, Biological Survey, T. S. Palmer, Washington, D. C.

STATE OFFICIALS.

(For information respecting the game laws in States and Territories which have no State wardens address as follows: Alaska—Secretary of Agriculture, Washington, D. C.; Arkansas—E. V. Visart, Little Rock; Florida—Chas. G. Megargee, Umatilla, Lake County; Hawaii—D. B. Kuhns, Honolulu; Mississippi—Miles Carroll, Yazoo City; Nevada—Secretary of State, Carson City; Virginia—L. T. Christian, 1012 East Broad Street, Richmond.

The game laws are published in pamphlet form in all the States.)

ALABAMA.

State Game and Fish Commissioner. Office established February 19, 1907; term four years.

John H. Wallace, Jr., Montgomery (term expires January, 1913).

Publication: Game Laws; Bulletins; Annual Bird Day Books; Biennial Reports—last report, 1908.

ALASKA.

[The governor appoints wardens, licenses guides on the Kenai

When in doubt inquire of this office; we will be glad to set you right.

Peninsula, and issues hunting and shipping licenses.]
Game Warden. Office established May 11, 1908; appropriation first available July 1, 1909; term, pleasure of governor.
Governor, Walter E. Clark, Juneau.
Wardens, Christian L. Larson, Chicken; F. C. Irons and William Lloyd, Fairbanks; Adam Schneider, Juneau; P. F. Vian, Kenai; J. C. Tolman, Kodiak; Christopher C. Shea, Seward.

ARIZONA.

Fish and Game Commissioners. Commission established 1887; term two years.
A. W. Sydnor, Globe.
Charles M. Bledsoe, Winslow.
T. T. Cull, Yuma.
Publications: Game Laws.

CALIFORNIA.

Board of Fish and Game Commissioners. Board of fish commissioners established April 2, 1870; jurisdiction extended to game, 1878; title changed, 1909; term, pleasure of governor.
President, F. M. Newbert, Forum Building, Sacramento.
M. J. Connell, Consolidated Realty Building, 605 South Hill Street, Los Angeles.
Carl Westerfeld, Mills Building, San Francisco.
Secretary, Earnest Schaeffle, Mills Building, San Francisco.
Office of the Board, Mills Building, San Francisco.
Publications: Fish and Game Laws; Biennial Reports—last report, 1910.

COLORADO.

State Game and Fish Commissioner. Office of State fish commissioner established March 10, 1877; jurisdiction extended to game, 1891. Present office established April 27, 1899; term, four years.
James A. Shinn, Room 41, Capitol Building, Denver (term expires April 1, 1913.)
Deputy commissioner, Rudolph Borchardt, Denver (term expires April 1, 1913).

Publications: Game and Fish Laws; Biennial Reports—last report, 1910.

CONNECTICUT.

Commission of Fisheries and Game. Appointment of commissioners on fisheries first authorized in 1867. Jurisdiction extended to game, with establishment of present commission, April 30, 1895; term, two years.

President, Dr. Frank W. Hewes, Groton.

Secretary, E. Hart Geer, Hadlyme.

Frank O. Davis, Putnam. All terms expire July 1, 1913.

Office of the commission, Room 64, State Capitol, Hartford.
Publications: Fish and Game Laws; Biennial Reports—last report 1910.

DELAWARE.

Board of Game and Fish Commissioners. Established March, 1911; term, six years.

President, Edward G. Bradford, Jr., Wilmington (term expires September 1917).

Vice president, William H. Reed, Dover (term expires September 1913).

Secretary and treasurer, H. C. Davis, Laurel (term expires September 1915).

DISTRICT OF COLUMBIA.

Metropolitan Police.

Superintendent, Maj. Richard Sylvester, Washington.

Harbor Master, Lieut. Russell Dean, Washington.

GEORGIA.

Department of Game and Fish. Office established August 21, 1911; term, two years.

Commissioner, Jesse E. Mercer, Atlanta (term expires September 1, 1913).

Publications: Fish and Game Laws; Bulletins; Annual Reports—first report in July 1912. This bulletin No. 3.

IDAHO.

Fish and Game Warden. Office established March 13, 1899; term, two years.

Ben. R. Gray, Boise (term expires December 31, 1912).

Chief deputy, F. M. Kendall, Twin Falls (until successor is appointed).

Publications: Fish and Game Laws; Biennial Reports—last report 1910.

ILLINOIS.

State Game Commissioner. Office established April 24, 1899; term, that of governor (four years).

Dr. John A. Wheeler, Springfield (term expires January 1913).

Publications: Game Laws.

INDIANA.

Commissioner of Fisheries and Game. Office of commissioner of fisheries established in 1881; jurisdiction extended to game and birds and present office established February 13, 1899; term four years.

George W. Miles, State House, Indianapolis (term expires April 4, 1915).

Publications: Fish and Game Laws; Biennial Reports—last report 1910.

IOWA.

State Fish and Game Warden. Office established October 1, 1897; term, three years.

Geo. A. Lincoln, 230-232 Granby Block, Cedar Rapids (term expires March 31, 1913).

Publications: Fish and Game Laws; Biennial Reports—last report 1910.

KANSAS.

State Fish and Game Warden. Office of commissioner of fisheries established 1877. Present office established July 1, 1905; term, four years.

Prof. L. L. Dyche, Pratt (term expires June 30, 1915).

Publications: Fish and Game Laws; Bulletins.

KENTUCKY.

Game and Fish Commission. Established March 12, 1912; term, four years.

Chairman, Joseph G. Sachs, Law Building, Louisville(term expires 1916).

R. R. Burnham, Richmond (term expires 1916).

J. E. Crider, Jr., Fredonia (term expires 1914).

A. G. Patterson, Pineville (term expires 1914).

Executive agent, J. Quincy Ward, Frankfort (term expires 1916).

LOUISIANA.

Conservation Commission. Originally established as the Board of Commissioners for the Protection of Birds, Game and Fish, July 9, 1908. Conservation Commission authorized by act approved in July, 1912. The appointments had not been made August 1, 1912.

Office of the commission, New Orleans.

Publications: Fish, Oyster and Game Laws; Biennial Reports—last report, 1912.

MAINE.

Commissioners of Inland Fisheries and Game. Appointment of commissioners of fisheries authorized February 21, 1878; jurisdiction extended to game 1880. Present commission established March 8, 1899; term, three years.

Chairman, J. S. P. H. Wilson, Auburn (term expires July 13, 1914).

Frank E. Mace, Great Pond (term expires April 13, 1915).

Blaine S. Viles, Augusta (term expires July 1, 1913).

Office of the commission, State Capitol, Augusta.

Publications: Game and Fish Laws; Biennial Reports—last report 1910.

MARYLAND.

Game Warden. Office established April 4, 1896; reorganized April 10, 1904; term, two years.

Franklin E. Cox, 506 Union Trust Building, Baltimore (term expires April 1914).

Publications: Game and Fish Laws; Reports.

Board of Special (Ducking) Police. Established 1872, reorganized 1880; term, two years.

Arthur L. Dippish, Havre de Grace, Hartford County.

Harry A. Gilbert, Aberdeen, Hartford County.

J. Howard Pyle, Chesapeake City, Cecil County.

Andrew Reynolds, North East, Cecil County. All term expire May, 1914.

Special Policemen (for protection of wild fowl on Elk and Bohemia Rivers).

Office established 1884; term, two years.

John Racine, Elkton, Cecil County (term expires May, 1914).

MASSACHUSETTS.

Commissioners of Fisheries and Game. Organized 1865; jurisdiction extended to game 1886; term, five years.

Chairman, Dr. George W. Field, State House, Boston (term expires December 28, 1914).

George H. Garfield, Brockton (term expires 1913).

George H. Graham, Springfield (term expires August 1916).

Office of the commission, Room 158, State House, Boston.

Publications: Fish and Game Laws; Annual Reports—last report, 1911.

MICHIGAN.

Game, Fish and Forestry Department. Established as a game and fish warden department, March 15, 1887; reorganized 1907; term, four years.

Warden, William R. Oates, Lansing (term expires June 30, 1915).

Chief deputy, David R. Jones, Petoskey (term expires December 31, 1912).

Publications: Biennial Reports—last report, 1910.

MINNESOTA.

Board of Game and Fish Commissioners. Appointment of commissioners of fisheries originally authorized March 5, 1874.

Office of [State] game warden created March 8, 1887; term, four years. Present board established April 20, 1891; term, six years; reorganized 1901; term now, four years.

President, George J. Bradley, Norwood (term expires 1914).

Vice president, D. L. Durkin, Frazee (term expires 1916).

Second vice president, E. L. Ogilive, St. Paul (term expires 1915).

Secretary, O. J. Johnson, Glenwood (term expires 1913).

Executive agent, H. A. Rider, St. Paul (term expires 1914).

Office of the board, State Capitol, St. Paul.

Publications: Fish and Game Laws; Biennial Reports—last report 1910.

MISSOURI.

Game and Fish Commissioner. Office of game and fish warden established April 8, 1895; reorganized June 17, 1905; term, two years. Present office established August 16, 1909; term, four years.

Jesse A. Tolerton, Jefferson City (term expires August 16, 1913).

Chief deputy, E. T. Grether, 902 Fullerton Building, St. Louis.

Publications: Game and Fish Laws; Annual Reports—last report, 1910.

MONTANA.

State Game and Fish Warden. Board of game and fish commissioners established March 14, 1895; term, three years. Replaced by present office March 18, 1901; term, four years.

Henry Avare, Helena (term expires March, 1913).

Deputy, D. H. Morgan, Helena.

Publications: Fish and Game Laws; Biennial Reports—last report 1910.

NEBRASKA.

Game and Fish Commission. Established July 1, 1901; term, two years.

Commissioner, Gov. Chester H. Aldrich, Lincoln (term expires January, 1913).

Chief deputy, Henry N. Miller, Lincoln (term expires January, 1913).

Publications: Fish and Game Laws; Biennial Reports—last report 1910.

NEW HAMPSHIRE.

Board of Fish and Game Commissioners. Originally established as a fish commissioner June 30, 1865. Present board established 1878; term, five years.

Chairman, Nathaniel Wentworth, Hudson (term expires October 8, 1912).

Financial agent and secretary, Charles B. Clarke, Concord (term expires February 11, 1916).

Frank P. Brown, Whitefield (term expires June 14, 1913).

Publications: Fish and Game Laws; Biennial Reports—last report, 1910.

NEW JERSEY.

Board of Fish and Game Commissioners. Appointment of commissioners of fisheries first authorized March 17, 1870; jurisdiction extended to game, 1894. Board of Fish and Game Commissioners established March 22, 1895; term, now four years.

President, Earnest Napier, East Orange (term expires 1913).

Treasurer, William A. Logue, Bridgeton (term expires 1912).

Precival Chrystie, High Bridge (term expires 1914).

W. A. Faunce, Atlantic City (term expires 1915).

Secretary, Walter H. Fell, Trenton.

Fish and game protector, James M. Stratton, North Long Branch.

Office of the board and of secretary, State Capitol, Trenton.

Publications: Game and Fish Laws; Annual Reports—last report, 1911.

NEW MEXICO.

Game and Fish Warden. Office established March 12, 1903; term, two years.

Trinidad C. de Baca, Santa Fe (term expires 1914).

Chief deputy, P. B. Otero, Santa Fe (term expires 1914).

Publication: Fish and Game Laws, in English and Spanish.

NEW YORK.

Department of Conservation. Originally established as a commission of fisheries in 1868. Office of chief game and fish protector created in 1888. Forest, fish, and game commission established in 1895 and reorganized March 12, 1901.

Department of conservation established July 12, 1911; term six years.

Commissioners: George E. Van Kennen, Ogdensburg (term expires 1916).

James W. Fleming, Troy (term expires December 1, 1914).

John D. Moore, New York (term expires December 1, 1918).

Deputy commissioner of fish and game, Thomas H. Guy, Troy.

Secretary, Albert E. Hoyt, Albany.

Chief Game protector, Llewellyn Legge, Albany.

Office of the commission, 21-23 Washington Avenue, Albany.

Publications: Forest, Fish, and Game Laws; maps; Annual Reports—last report, 1911.

NORTH CAROLINA.

Audubon Society of North Carolina. Organized March 11, 1902; incorporated March 6, 1903.

President, Dr. R. H. Lewis, Raliegh.

Secretary, P. D. Gold, Jr., Raliegh.

Publications: State Game Laws; circulars; Annual Reports—last report, 1911.

NORTH DOKOTA.

Game and Fish Board of Control. Established April 1, 1909; reorganized April 1, 1911; terms, two and four years.

President, W. E. Byerly, Velva (term expires April 1, 1913).

Vice President, J. P. Lamb, Michigan (term expires April 1, 1915).

Secretary, Tobias D. Casey, Dickinson (term expires April 1, 1913).

District Game Warden. Office originally established as State Game Warden in 1895; changed to District Game Warden in 1903; term, two years.

District No. 1 (northern). E. H. Stenvick, Minot.

District No. 2 (southern). Fred McLean, Fargo.

Publications: Fish and Game Laws; Biennial Reports—last report, 1910.

OHIO.

Commissioners of Fish and Game. Appointment of Commis-

sioners of Fisheries first authorized May 3, 1873; jurisdiction extended to game with establishment of present commission of five members May 17, 1886; term five years. President, Paul North, Cleveland (term expires May 17, 1913).

Walter C. Staley, Dayton (term expires 1912).

Thomas B. Paxton, Cincinnati (term expires May 17, 1915).

Gill McCook, Steubenville (term expires May 17, 1914).

J. F. Rankin, South Charleston (term expires May 16, 1916).

Chief warden, Gen. John C. Speaks, Columbus (term expires May 1, 1913).

Office of the commission, Columbus.

Publications: Game and Fish Laws; Annual Reports—last report, 1910.

OKLAHOMA.

State Game and Fish Warden. Office established March 10, 1899; reorganized 1909; term, four years.

John B. Doolin, 308-311 Mercantile Building, Oklahoma City (term expires January 12, 1915).

Publications: Game and Fish Laws; Reports—last report 1910.

OREGON.

State Board of Fish and Game Commissioners. Office of game and fish protector established in 1893; term, two years. Game and forestry warden established February 18, 1899; term, four years. Present board established May 21, 1911; term, four years.

President, C. K. Cranston, Pendleton (term expires May 20, 1914).

Secretary, J. F. Hughes, 385 State Street, Salem (term expires May 20, 1915).

George H. Kelly, 70 Fourth Street, Portland (term expires May 20, 1913).

C. F. Stone, Klamath Falls (term expires May 20, 1913).

M. J. Kinney, 510 Corbett Building, Portland (term expires May 20, 1916).

State game warden, William L. Finley, 808 Yeon Building, Portland (term expires May 20, 1915).

Publications: Game and Fish Laws; Biennial Reports.

PENNSYLVANIA.

Board of Game Commissioners. Board established 1895; term, three years.

President, Dr. Charles B. Penrose, 1720 Spruce Street, Philadelphia (term expires 1912).

C. K. Sober, Lewisburg (term expires November 17, 1911).

John M. Philips, 2227 Jane Street, Pittsburg (term expires November 17, 1912).

Arthur Chapman, Doylestown (term expires 1911).

W. B. McCaleb, Harrisburg (term expires 1913).

Lanning Harven, Wilkes-Barre (term expires 1913).

Secretary, Dr. Joseph Kalbfus, Harrisburg.

Office of the board, Capitol Building, Harrisburg.

Publications: Digest of Game and Fish Laws; Annual Reports—last report, 1910.

RHODE ISLAND.

Commissioners of Birds. Commission established June, 1899; term, three years.

Chairman, C. E. Pierce, Rumford.

W. Gordon Reed, 2d, 178 Dorrance Street, Providence.

Dr. Edwin R. Lewis, Westerly.

William H. Thayer, Bristol.

C. M. Hughes, 7 Francis Street, Newport.

All terms expire January 31, 1914.

Publications: Abstract of Game Laws; Annual Reports—last report, 1911.

SOUTH CAROLINA.

Chief Game Warden. Office established February 25, 1910; term, four years.

James Henry Rice, Jr., Summerville (term expires 1915).

Publications: State Game Laws; Annual Reports—last report, 1911.

SOUTH DOKOTA.

State Game Warden. Office established July 1, 1909; term, two years.

W. F. Baneroft, Watertown (term expires July 1, 1913).

Publications: Game Laws; Annual Reports—last report, 1910.

TENNESSEE.

State Warden of Game, Fish and Forestry. Office of State warden established April 11, 1903; department of game, fish, and forestry established April 15, 1905; term, eight years.

Joseph H. Aeklen, Nashville (term expires April 17, 1913).
Publications: Game, Fish, and Forestry Laws and Reports—last report, 1911.

TEXAS.

Game, Fish and Oyster Commissioner. Office of fish and oyster commissioner established 1895; jurisdiction extended to game 1907.

W. G. Stereet, Austin.

Chief deputy, Jeff. D. Cox, Austin.

Publications: Game Laws; Reports—last report, 1910.

UTAH.

State Fish and Game Commissioner. Office established 1890; reorganized in 1897 and 1899; term, four years.

Fred W. Chambers, Salt Lake City (term expires April 5, 1913).

Publications: Fish and Game Laws; Biennial Reports—last report, 1910.

VERMONT.

Fish and Game Commissioner. Fish commission established in 1867; reorganized as a fish and game commission November 22, 1892. Present office established December 7, 1904; term, two years.

John W. Titcomb, Lyndonville (term expires November 30, 1912).

Publications: Fish and Game Laws; Biennial Reports—last report, 1910.

WASHINGTON.

State Fish Commissioner and Game Warden. Office of game warden established February 6, 1890; term, four years. Present office established March 13, 1899; term four years.

John L. Riseland, Bellingham (term expires March 4, 1915).
Chief deputy State game warden, Gus. Johnson, Bellingham.
Publications: Fish, Oyster, and Game Laws; Annual Reports
—last report, 1910.

WEST VIRGINIA.

Forest, Game and Fish Warden. Office of game and fish warden established May 18, 1897; reorganized, 1909; term, four years.

J. A. Viquesney, Berligton (term expires July 1, 1913).
Publications: Game and Fish Laws; Annual Reports—last report, 1911.

WISCONSIN.

State Fish and Game Warden. Office established May 5, 1891; term, two years.

John A. Sholts, Madison (term expires 1913).

Chief deputy, Fred Gerhardt, Milwaukee (term expires 1913).

Publications: Fish and Game Laws; Annual Reports—last report, 1911.

WYOMING.

State Game Commission. Office of fish commissioner established 1879; jurisdiction extended to game, 1895. Office of State game warden established February 15, 1899; term, four years. Present commission established February 18, 1911.

President, Gov. Joseph M. Carey, Cheyenne (term expires January, 1915).

Secretary of State, Frank L. Houx, Cheyenne.

State Auditor, Robert B. Forsyth, Cheyenne.

State game warden, D. F. Hudson, Lander (term expires February 20, 1915).

Publications: Fish and Game Laws; Annual Reports—last report, 1911.

CANADA.

ALBERTA.

Department of Agriculture. Office of chief game guardian established 1905.

Minister, Duncan Marshall, Edmonton.

Deputy Minister, George Harcourt, Edmonton.

Chief game guardian, Benjamin Lawton, Edmonton.

Publications: Game Laws; Annual Reports—last report, 1911.

BRITISH COLUMBIA.

Provincial Game Warden. Office of provincial game and forest warden established 1905; title changed 1912.

A. Bryan Williams, Court House, Vancouver.

Publications: Game Laws; Bulletins; Annual Reports—last report, 1911.

MANITOBA.

Department of Agriculture and Immigration. Office of chief game guardian established August 1898.

Minister, Geo. Lawrence, Winnipeg.

Chief game guardian, Charles Barber, Winnipeg.

Publications: Game Protection Act; Annual Reports—last report, 1911.

NEW BRUNSWICK.

Crown Land Department. Office of chief game commissioner established 1878; title changed to chief wardens, 1909.

Surveyor general, James K. Flemming, Hartland.

Deputy surveyor general, T. G. Loggie, Fredericton.

Chief fishery, game, and five wardens:

District No. 1, Dennis Doyle, Newcastle.

District No. 2, A. E. O'Leary, Richibucto.

District No. 3, W. J. Dean, Musquash.

District No. 4, John McGibbon, St. Stephen.

Overseer of fisheries, S. U. McCully, Chatham.

Publications: Game Laws; Annual Reports—last report, 1911.

NEWFOUNDLAND.

Department of Marine and Fisheries. Established March 10, 1898; Game and Inland Fisheries Board authorized May 10, 1906; organized 1909; established by act of Parliament, 1910.

President, Minister of Marine and Fisheries, A. W. Piccott, St. John.

Vice President, Thomas Winter, St. Johns.

First asst. vice president, Dr. L. E. Keegan, St. Johns.

Second asst. vice president, Alex McDougall, St. Johns.

Secretary, James W. Mercer, St. Johns.

Publications; Annual Reports—last report, 1911.

NOVA SCOTIA.

Board of Game Commissioners. Established April 16, 1908. (Duties formerly exercised by Nova Scotia Game and Inland Fishery Protection Society.)

Chief game commissioner, J. A. Knight, K. C., St. Paul Building, Halifax.

Associate commissioners, A. O. Pritchard, New Glasgow; C. R. Kelley, Yarmouth.

Publications: Game Laws; Annual Reports—last report, 1911.

ONTARIO.

Department of Public Works—Game and Fisheries Branch.

Office of chief game warden established 1892; office of superintendent of game and fisheries established 1907.

Minister, J. O. Reaume, Parliament Building, Toronto.

Superintendent of game and fisheries, E. Tinsley, Parliament Buildings, Toronto.

Publications: Game Laws; Annual Reports—last report, 1911.

Reports of the Game and Fisheries Commission: Interim report, 1910; final report, 1912.

Kelly Evans, commissioner, 503 Empire Building, 64 Wellington Street west, Toronto.

PRINCE EDWARD ISLAND.

Game Inspector. Office established April 21, 1906; term, pleasure of Lieutenant Governor in council.

E. T. Carbonell, Box 83, Charlottetown.

Publications: Annual Reports—last report, 1911.

QUEBEC.

Department of Colonization, Mines, and Fisheries—Fisheries and Game Branch. Office of game superintendent established June 10, 1884; reorganized in 1897 and 1906.

Minister, Charles Devlin, Quebec.

Deputy minister, J. Dufault, Quebec.

Special (expert) officer, E. T. D. Chambers, Quebec.

General superintendent of fisheries and game, Hector Caron Quebec.

Assistant superintendent of fisheries and game, Eug. Hamel, Quebec.

General inspector of fisheries and game, J. A. Bellisle, Quebec.

Publication: Fish and Game Laws, in French and English; Annual Reports—last report, 1911.

SASKATCHEWAN.

Department of Agriculture. Office of chief game guardian established 1905.

Minister of Agriculture, W. M. Motherwell, Regina.
 Deputy minister, A. F. Mantle, Regina.
 Acting chief game guardian, Fred Bradshaw, Regina.
 Publications: Annual Reports—last report, 1910.

NATIONAL ORGANIZATIONS.

- American Bison Society. Organized December 8, 1905.
 President, Prof. Franklin W. Hooper, Brooklyn Institute of Arts and Sciences, Brooklyn, N. Y.
 Secretary, William P. Wharton, Groton, Mass.
- American Game Protective and Propagation Association. Incorporated September 25, 1911.
 President, John B. Burnham, 111 Broadway, New York, N. Y.
 Secretary, George M. Fayles, 111 Broadway, New York, N. Y.
- American Ornithologists' Union. Committee on Protection of North American Birds. Established October 1, 1884.
 Chairman, Dr. A. K. Fisher, Department of Agriculture, Washington, D. C.
- Boone and Crockett Club. Founded December, 1887.
 President, W. A. Wadsworth, Geneseo, N. Y.
 Secretary, Madison Grant, 11 Wall Street, New York, N. Y.
 Chairman Game Preservation Committee, Charles Sheldon, 140 West 57th Street, New York, N. Y.
- Campfire Club of America. Organized 1903; incorporated 1904.
 President, Daniel Carter Beard, Flushing, Long Island, N. Y.
 Secretary, Arntur F. Rice, Flatiron Building, New York, N. Y.
- League of American Sportsmen. Organized January 18, 1898; incorporated June 1, 1898.
 President, G. O. Shields, 1081 Simpson Street, New York, N. Y.
 Secretary, H. M. Beach, 1081 Simpson Street, New York, N. Y.
- National Association of Audubon Societies. Organized as a national committee April 4, 1902; incorporated January 5, 1905.
 President, William Dutcher, Plainfield, N. J.
 Office of the association, 1974 Broadway, New York, N. Y.
- National Association of Game Commissioners and Wardens. Organized July 20, 1912; reorganized February 11, 1904.
 Secretary T. Gilbert Pearson, 1974 Broadway, New York, N. Y.

Secretary, Dr. George W. Field, Room 158, State House, Boston, Mass.

New York Zoological Society. Incorporated April 26, 1895.

[This society takes an active part in the protection of birds and game.]

President, Prof. Henry Fairfield Osborn, 850 Madison Avenue, New York, N. Y.

Secretary, Madison Grant, 11 Wall Street, New York, N. Y.
North American Fish and Game Protective Association. Organized January 30, 1900.

President, J. Douglas Hazen, Quebec.

Secretary-treasurer, E. T. D. Chambers, Quebec.

STATE ORGANIZATIONS.

Arkansas Game and Fish Protective Association. Organized, 1912.

President, W. M. Sutton, Little Rock.

Secretary, E. V. Visart, Little Rock.

California Game and Fish Protective Association. Organized May 26, 1900.

President, Dr. A. M. Barker, San Jose.

Secretary-Treasurer, E. A. Mocker, Capitola.

California Sportsmen's Game Protective Association. Organized September 28, 1910.

President, F. A. Roop, 279 Thirteenth Street, San Francisco.

Secretary, W. J. Brady, 2436 Greenwich Street, San Francisco.

Colorado Sportsmen's Association. Organized February 9, 1909.

President, J. F. Engel, 1145 Delaware Street, Denver.

Secretary, T. F. Dolan, Box 1722, Denver.

Connecticut Fish and Game Protective Association. Organized June 17, 1909; incorporated September 10, 1909.

President, A. B. Lapsley, Promfret.

Secretary and treasurer, H. P. Carter, New Britain.

Delaware State Sportsmen's Association. Organized January 30, 1912.

President, Dr. Horace Betts, Wilmington.

Secretary, William A. Joslyn, Wilmington.

Game and Fish Protective Association of the District of Columbia. Organized February 3, 1897.

President, Dr. W. S. Harban, 2101 Wyoming Avenue, N. W., Washington.

- Secretary-treasurer, Dr. W. P. Young, 419 Tenth Street, N. W., Washington.
- Georgia Game Protective Association.** Organized 1912.
 President, William V. Zimmer, Atlanta.
 Secretary, Robt. S. Greer, Columbus.
 Treasurer, Bradford Byrd, Atlanta.
- Iowa Fish and Game Protective Association.** Incorporated May 14, 1908.
 President, M. C. Matthews, Dubuque.
 Secretary, Jules C. Gregorie, 639 Main Street, Dubuque.
- Kentucky Fish and Game Protective Association.** Organized February 22, 1909.
 President, Joseph G. Sachs, Sachs' Law Building, Louisville.
 Secretary, E. H. Nobbe, 410 West Main Street, Louisville.
- Maine Sportsmen's Fish and Game Association.** Chartered 1893.
 President, John F. Sprague, Dover.
 Secretary and Treasurer, F. R. Smith, Pittsfield.
- Maryland State Game and Fish Protective Association.** Organized March 5, 1895; incorporated May 13, 1898.
 President, J. Olney Norris, 214 Chamber of Commerce, Baltimore.
 Secretary, Henry H. Kimball, 748 Tremont Building, Boston.
- Massachusetts Fish and Game Protective Association.** Chartered March 29, 1877.
 [Formerly the Massachusetts Anglers' Association. Chartered March 18, 1874.]
 President, Salem D. Charles, City Hall, Boston.
 Secretary, Henry H. Kimball, 148 Tremont Building, Boston.
- The Michigan Association.** Organized April 19, 1907.
 President, W. B. Mershon, Saginaw.
 Secretary, W. A. Tateum, Grand Rapids.
- Missouri Fish and Game League.** Organized January 26, 1911; incorporated January 25, 1912.
 President, Walter N. Fisher, 1401 Liggett Building, St. Louis.
 Secretary, H. F. Mardorf, 4068 Olive Street, St. Louis.
- Montana Fish and Game Protective Association.** Organized January 27, 1901.
 President, Fred Naegele, Helena.
 Secretary, A. P. Heywood, Helena.
- Association of New Jersey Sportmen for the Protection and Propagation of Game.** Organized October 12, 1907.

- President, George Batten, 93 Union Street, Montclair.
Secretary, Edward Winslow, 180 Walnut Street, Montclair.
New York Association for the Protection of Game. Founded
May 20, 1844; incorporated 1884.
President, Col. Alfred Wagstaff, 29 Madison Avenue, New
York.
Secretary, Robert B. Lawrence, 45 Broadway, New York.
New York State Fish, Game and Forest League. Organized
1897; incorporated April 16, 1898.
[Formerly New York State Association for the Protection of
Fish and Game. Organized 1865.]
President, George A. Lawyer, Watertown.
Secretary, L. C. Andrews, Elmira.
North Dakota Game and Fish Protective Association. Organi-
zed May 22, 1907.
President, W. W. Cook, Fargo.
Secretary, Prof. W. B. Bell, Agricultural College.
Oklahoma State Game and Fish Protective Association. Or-
ganized December 11, 1908.
President, S. H. Harris, Oklahoma City.
Secretary, J. C. Clark, 302 Insurance Building, Oklahoma
City.
Oregon Fish and Game Association. Organized January 28,
1899.
President, John Gill, Third and Alder Streets, Portland.
Secretary, A. E. Gebhardt, Box 269, Portland.
Pennsylvania State Sportmen's Association. Organized August
22, 1890; incorporated, 1892.
President, Lockwood B. Worden, Harrisburg.
Secretary, Bernard Elssesser, The Gazette, York.
United Sportsmen of Pennsylvania. Organized April 1, 1908.
President, Oscar E. Thompson, Phoenixville.
Secretary, W. E. Meehan, Box 89, Harrisburg.
Texas Game and Fish Protective Association. Organized May
21, 1912.
[The original Texas Game Protective Association was organi-
zed in September, 1896.]
President, W. Goodrich Jones, Temple.
Secretary, Dr. Frank Kent, San Antonio.
Vermont Fish and Game League. Incorporated November 21,
1890.
President, Maxwell Evarts, Windsor.
Secretary, John W. Titcomb, Lyndonville.

Eastern Shore Game Protective Association of Virginia. Organized 1893; incorporated March, 1894.

President, Dr. J. W. Bowdoin, Bloxom.

Secretary and treasurer, T. W. Blackstone, Accomac.

Game Protective Association of Virginia. Organized February 15, 1905.

President, Dr. J. B. Fisher, Midlothian.

Secretary-treasurer, L. T. Christian, 1012 East Broad Street, Richmond.

Washington Game Protective and Propagation Association. Organized November 21, 1911.

President, Wm. P. Trowbridge, 104 South Ninth Street, Tacoma.

Secretary, I. H. Hill, 622 Provident Building, Tacoma.

Washington State Game and Fish Protective Association. Organized December 4, 1903; incorporated.

President, Frank A. Pontius, Seattle.

Secretary-treasurer, H. Rief, 117 First Avenue South, Seattle.

West Virginia Fish and Game Protective Association. Organized November 14, 1906.

President, J. A. Viquesney, Bellington.

Secretary-treasurer, H. M. Lockridge, Huntersville.

[Wisconsin] Northwestern Game Protective Association. Organized December 5, 1904.

President, Gen. Joseph B. Doe, 314 Wells Building, Milwaukee.

Secretary, E. L. Tracy, 377 Newhall Street, Milwaukee.

Fish and Game Protective Association of Alberta. Organized January, 1907.

President, A. G. Wolley-Dod, Calgary.

Secretary-treasurer, E. S. Doughty, Calgary.

Manitoba Game Protective Association. Organized April 2, 1905.

President, A. Code, Winnipeg.

Secretary-treasurer, J. P. Turner, McArthur Building, Winnipeg.

New Brunswick Fish, Forest and Game Protective Association. Organized June 12, 1907.

President, J. Fraser Gregory, St. John.

Secretary, Wilbur Gerow, St. John.

Nova Scotia Game and Inland Fishery Protection Society. Organized March 18, 1853.

President, Hon. L. G. Power, Halifax.

- Secretary-treasurer, Harris S. Tremain, Queen Building, Halifax.
- People's Game and Fish Protective Association of Nova Scotia.
Organized November 11, 1906.
President, Dr. W. B. Moore, Yarmouth.
Secretary and treasurer, Roy S. Kelley, Yarmouth.
- Ontario Forest, Fish and Game Protective Association. Organized June 7, 1905.
Acting President, Oliver Adams, 55 Glen Road, Toronto.
Secretary-treasurer, Kelly Evans, 517 Empire Building, 64 Wellington Street West, Toronto.
- Prince Edward Island Game and Fish Protective Association.
Organized September 1, 1905. Incorporated April 21, 1906.
President, Albert E. Morrison, Charlottetown.
Secretary, E. T. Carbonell, Box 83, Charlottetown.
- Province of Quebec Association for the Protection of Fish and Game. Organized February 23, 1859.
President, Dr. Geo. Fisk, Montreal.
Secretary, J. R. Innes, Imperial Bank Building, Montreal.
- Sportsmen's Fish and Game Protective Association of the Province of Quebec. Incorporated 1901.
President, John S. Thom, Quebec.
Secretary, E. T. D. Chambers, Quebec.
- Saskatchewan Game Protective Association. Organized August 10, 1906.
President, Dr. D. Low, Regina.
Secretary, W. M. Van Valkenburg, Regina.

AUDUBON SOCIETIES.

- [Organized for the study and protection of birds. Societies not heard from in 1912 are marked with an asterisk (*).]
- *Arizona. Organized April, 1908.
President, Herbert Brown, Tucson.
Secretary, Mrs. Harriet B. Thornber, Tucson.
- California. Organized May 31, 1906.
[Local societies organized at Redlands April 17, 1899 and Pasadena March 25, 1904.]
President, Dr. David Starr Jordan, Stanford University.
Secretary, Mrs. Harriet Williams Myers, 311 Avenue 66, Los Angeles.
- Connecticut. Organized January 28, 1898.
President, Mrs. Mabel Osgood Wright, Fairfield.
Secretary, Mrs. William Brown Glover, Fairfield.
- Delaware. Organized April, 1900.

- President, A. D. Poole, corner Seventh and West Streets,
Wilmington.
Secretary, Mrs. William S. Hilles, 904 Market Street,
Wilmington.
- District of Columbia. Organized May 18, 1897.
President, Hon. Job Barnard, 1306 Rhode Island Avenue,
Washington, D. C.
Secretary, Miss Helen P. Childs, Chevy Chase, Md.
- Florida. Organized March 2, 1900.
President, Dr. W. F. Blackman, Winter Park.
Secretary, Mrs. I. Vanderpool, Maitland.
- Illinois. Organized April 1, 1897.
President, Ruthven Deane, 112 West Adams Street, Chicago.
Secretary, Miss Mary A. Hardman, Academy of Sciences,
Lincoln Park.
- Indiana. Organized April 26, 1898.
President, Dr. D. W. Dennis, Earlham College, Richmond.
Secretary, Miss Elizabeth Downhowe, 2307 Talbott Avenue,
Indianapolis.
- Iowa. Organized April 5, 1898.
President, Mrs. W. B. Small, 206 Iowa Street, Waterloo.
Secretary, Mrs. William F. Parrott, 302 Franklin Street,
Waterloo.
- *Kansas. Organized October 2, 1908.
President, Richard H. Sullivan, Wichita.
Secretary, Frank E. McMullen, Wichita.
- Kentucky. Organized November 28, 1911.
President, James H. Gardner, State Geological Survey,
Frankfort.
Secretary, Victor K. Dodge, Lexington.
- *Louisiana. Organized November, 1902.
President, Prof. George E. Beyer, Tulane University, New
Orleans.
Secretary, Mrs. Percival Wraight, 460 Pine Street, New
Orleans.
- Maine. Organized July 31, 1902.
President, Arthur H. Norton, 22 Elm Street, Portland.
Secretary, ——— ————
- Maryland. Organized 1906.
President, Miss Isabel Crawford Tudor, 2410 North Charles
Street, Baltimore.
Secretary, Miss Minna D. Starr, 2400 North Charles Street,
Baltimore.
- Massachusetts. Organized January, 1896.

- President, William Brewster, 145 Brattle Street, Cambridge.
Secretary and treasurer, Miss Jessie E. Kimball, Boston Society of Natural History, Boston.
- Michigan. Organized February, 1904.
President, Jefferson Butler, 1117 Ford Building, Detroit.
Secretary, Mrs. Anna Walter, Marcellus.
- Minnesota. Organized June 1, 1897.
President, D. Lange, 2308 Commonwealth Avenue, St. Paul.
Secretary, _____
- Mississippi. Organized November 13, 1907.
President, Wm. Hemingway, Jackson.
Secretary, H. G. McGowan, Columbus.
- Missouri. Organized June 14, 1901; reorganized December 10, 1907.
President, H. R. Walmsley, 318 Keith & Perry Building, Kansas City.
Secretary, _____
- *Nebraska. Organized June, 1902.
President, Dr. Solon R. Towne, Continental Building, Omaha.
Secretary, Miss Joy Higgins, 544 South Thirtieth Street, Omaha.
- New Hampshire. Organized April 6, 1897.
President, E. J. Burnham, 269 Walnut Street, Manchester.
Secretary, _____
- New Jersey. Organized May, 1897; incorporated December 15, 1910.
President, George Batten, 93 Union Street, Montclair.
Secretary, Beecher S. Bowdish, Demarest.
- New York. Organized February 23, 1897; incorporated November 23, 1904.
President, Prof. Henry Fairfield Osborn, 850 Madison Avenue, New York.
Secretary, Miss Emma H. Lockwood, 243 West Seventy-fifth Street, New York.
- North Carolina. Organized March 11, 1902; incorporated March 6, 1903.
- North Dakota. Organized April, 1904; reorganized January, 1912.
[Local society organized at Grand Forks in 1903.]
President, Prof. W. B. Bell, Agricultural College.
Secretary, Mrs. Geo. H. Hollister, Fargo.
- *Ohio. Organized December 14, 1898; incorporated March 22, 1900.
President, J. P. Cummins, Evans Place, Cincinnati.

Secretary, Miss Katherine Ratterman, 510 York Street, Cincinnati.

*Oklahoma. Organized 1902; incorporated June 16, 1906; re-organized June 25, 1907.

President, Neill Humphrey, Guthrie.

Secretary, Miss Alma Carson, Guthrie.

Oregon. Organized July 1, 1902; incorporated 1909.

[Formerly the John Burroughs Bird Society,
organized in 1900.]

President, W. L. Finley, 651 East Madison Street, Portland.

Secretary, Dr. Emma J. Welty, 321 Montgomery Street,

Portland.

Pennsylvania. Organized October, 1896.

President, Witmer Stone, Academy of Natural Sciences,
Philadelphia.

Secretary, Miss Elizabeth Wilson Fisher, 2222 Spruce Street,
Philadelphia.

Rhode Island. Organized October, 1897.

President, Dr. Albert D. Mead, Brown University, Providence.

Secretary, H. L. Madison, Park Museum, Providence.

South Carolina. Organized January 4, 1900; incorporated February 19, 1907.

President, W. H. Gibbes, Columbia.

Secretary-treasurer, Albert R. Heyward, Columbia.

Tennessee (East). Organized September 2, 1910.

President, H. Tullsen, Weather Bureau, Knoxville.

Secretary, Miss M. M. Woodward, Knoxville.

Tristate Audubon Society of Tennessee, Arkansas and Mississippi. Organized March, 1912.

President, Dr. R. B. Maury, 513 Beale Avenue,, Memphis.

Corresponding Secretary, Prof. Wharton S. Jones, 729 Vance Avenue, Memphis.

Texas. Organized 1903.

President, J. B. Sawtelle, Waco.

Secretary, _____

Vermont. Organized September 2, 1901.

President, Prof. J. W. Votey, University of Vermont, Burlington.

Secretary, Prof. A. E. Lambert, Middlebury.

Virginia. Organized December 11, 1908.

- [Local societies organized at Glen Caryln June 3, 1901, and Falls Church September 29, 1903.]
- President, Mrs. W. E. Harris, 1039 West Grace Street, Richmond.
- Secretary, Miss Donna Sheahan, Brookland Park Boulevard, Richmond.
- Washington. Organized April 20, 1907.
- President, James Illingworth, 2201 Harvard Avenue north, Seattle.
- Secretary, H. Rief, 320 Jefferson Street, Seattle.
- West Virginia. Organized October 24, 1911.
- President, Miss Ida M. Peters, Carnegie Library, Parkersburg.
- Secretary, Miss Hattie M. Alleman, 2403 Dudley Road, Parkersburg.
- Wisconsin. Organized April 20, 1897; reorganized June 10, 1908.
- President, Prof. George E. Wagner, State University, Madison.
- Secretary-treasurer, Roland E. Kremers, 1720 Vilas Street, Madison.

IN CONCLUSION.

The Commissioner appreciates the assistance given this Department by the true sportsmen of the State, particularly where they are organized into County Associations; and we especially thank the news papers, daily and weekly press, for the publicity they have given the new law and the operations of this Department. By so doing they have helped along a good cause in preparing the public mind for the enforcement of laws and regulations that seemed to be absolutely necessary for the protection of the game birds and animals and to preserve some of the important species from extinction.

Sincerely,

J. E. Mercer,

State Game and Fish Commissioner.

Atlanta, Ga., October 15th, 1912.

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GEORGIA

Department of Game and Fish

BULLETIN NO. 4

LAWS OF GEORGIA

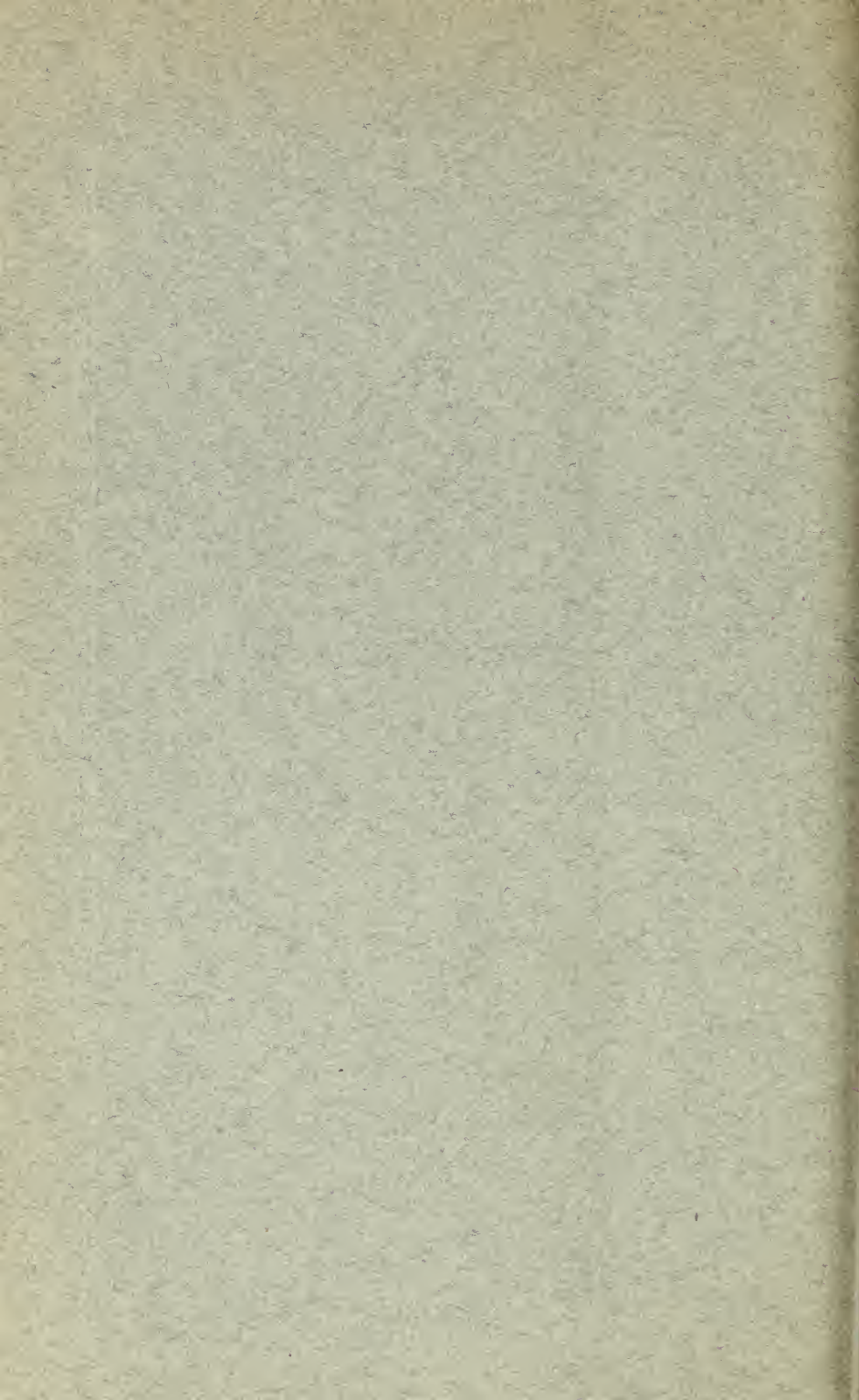
For the Protection of Game, Birds and Fish
Instructions to Wardens and Sug-
gestions to the Public



CHAS. L. DAVIS

State Game and Fish Commissioner
ATLANTA, GEORGIA

January, 1914



DEPARTMENT OF GAME AND FISH

CHAS. L. DAVIS, Commissioner.

ATLANTA, GA.

To County and Deputy Game Wardens:

The accompanying pamphlet contains the amended Georgia Laws for the protection of Game and Fish. Also the decisions of the courts, construing these laws, wherein any question has arisen as to the meaning and intent. Also general information as to the duties of wardens.

I request a careful reading of this booklet and an active enforcement of the laws.

Your special attention is called to Section 14, Page 7—, which prohibits the baiting of doves and shooting them over baited fields. Also to the order of the Postmaster-General which, complying with the Georgia Law, prohibits the sending of game by Parcels Post. Also to Section 612, Page 12, which prohibits the catching of fish from February 1st to July 1st, except with *hook and line*.

Yours very truly,

CHAS. L. DAVIS,

Commissioner.

STATE OF GEORGIA

DEPARTMENT OF GAME AND FISH

This Department is entitled to vigilance on the part of the wardens, the co-operation of every sportsman and the good will of all law-abiding citizens in its efforts to secure the enforcement of the Game and Fish Laws of the State.

The Commissioner will appreciate the interest of all persons who, for the protection and conservation of game and fish, will report to this office, to the county wardens or deputies, violations of the law that come to their notice. All letters, reports or information furnished this department by others than the officials connected therewith, will be treated as confidential when so requested.

CHAS. L. DAVIS, Commissioner.
Atlanta, Ga., January, 1914.

DEPARTMENT OF GAME AND FISH ESTABLISHED

ACT OF AUGUST 21st, 1911, AS AMENDED.

Italics Indicate Changes or Amendments.

AN ACT for the protection of game animals and birds and fish; to establish the Department of Game and Fish; to declare what shall be game animals and birds; to provide for the appointment of a State Game and Fish Commissioner, and the appointment of Wardens and Deputy Wardens, prescribing their duties and for other purposes, and to provide penalties for violations of this Act.

DEPARTMENT OF GAME AND FISH ESTABLISHED.

Sec. 1. Be it enacted by the General Assembly of Georgia, That the department of game and fish be established, to be in charge of the game and fish commissioner, who shall be appointed by the governor, and the term of whose office shall be for a period of two years, beginning September 1, 1911, or until his successor is appointed and qualified. Any vacancy in this office by death or otherwise shall be filled by appointment of the governor.

Sec. 2. Said commissioner shall receive a salary of not exceeding \$2,000.00 per annum, payable alone out of the fund hereinafter mentioned, and produced by virtue of this act, and he shall give his entire time to the service of the State as such game and fish commissioner.

RECORDS OF OFFICE.

Sec. 3. Said commissioner shall give bond in the sum of \$4,000 payable to the governor of the State, with two or more solvent securities, conditioned for the faithful performance of the duties of his office and a proper accounting of all moneys that may come into his hands as commissioner. He shall keep a public record correctly disclosing all moneys received and expended, the number of hunters' licenses, the number of wardens employed, with their names, and counties in which they serve. Also the name of each person prosecuted for violation of this act, the amount of fines imposed and collected in each

case, and all such other information as may be necessary to the affairs of the department. The books and accounts of said commissioner shall be audited in the same way as books and accounts of the other departments of the State are audited. He shall have a seal of office.

DUTIES OF COMMISSIONER.

Sec. 4. It shall be the duty of said commissioner to see that the laws now or hereafter enacted for the protection, propagation and preservation of game animals, game birds or other birds and fish in this State are observed, and that violations of said laws are promptly and speedily prosecuted. It shall be his duty to seize or cause to be seized game birds, or animals and fish caught or killed at a time or in a manner, or which have been shipped, contrary to the provisions of this act. Such game or fish so seized shall be donated to some charitable institution in this State, except live game birds, animals or fish, which shall be liberated. He shall, with wardens and deputy wardens and ex-officio wardens, be authorized to serve all criminal processes for violations of this act which could be served by the sheriffs and constables of this State.

COUNTY AND DEPUTY WARDENS.

Sec. 5. He shall appoint game and fish wardens and deputy wardens in each county of this State, such appointees to hold their office for the term of two years unless sooner removed for cause by the commissioner. Such wardens and deputy wardens shall enforce all the provisions of this act and all other laws in reference to game and fish in their respective counties. Such wardens and deputy wardens shall receive three dollars per day while acting under the special directions of the commissioner with reference to the discharge of their duties, which sum shall be paid out of the game protection fund provided for by this act. Each county warden shall receive one-fourth of all fines and forfeitures and penalties collected in the county in which he holds office imposed for violation of *any of the game and fish laws of this state* where he does not furnish the evidence necessary to convict. If he does arrest, or cause the arrest, and furnish the evidence necessary to convict, then he shall have three-fourths of such fines, forfeitures and penalties. Any person arresting or causing to be arrested offenders *under any of the game and fish laws of this State*

Hungarian partridges and pheasants would do well in Georgia, but first we should take care of the special game already here.

and furnishing the evidence necessary to convict such offenders shall receive one-half of fines, forfeitures and penalties imposed and collected from such offenders and legal fees paid to constables. The remaining portion of fines imposed and collected shall be forwarded to the State game commissioner and by him turned into the treasury to the credit of the game protection fund. The county warden shall receive as his fee twenty-five cents for each county license issued by him, one dollar for each State license and three dollars for each non-resident license issued by him.

All county wardens shall keep a record in the office of the clerk of the court in their respective counties, which record shall be open to the public, giving names of all parties holding resident, county and State licenses and non-resident State license issued by him. This record shall also show the names, offenses and fines imposed on all persons convicted for a violation of the fish or game laws of this State in the county of his jurisdiction.

LICENSES; FEES REMITTED; HUNTING AND FISHING ON OWN LAND AND IN MILITIA DISTRICT.

Sec. 6. Any resident of the State may procure a license to hunt in his resident county upon the payment of the sum of one dollar. License to such resident shall be issued authorizing him to hunt throughout the State upon the payment of three dollars. Licenses shall be issued to non-residents of the State upon the payment of the sum of fifteen dollars, which shall authorize such non-resident to hunt throughout the State. All licenses shall bear the date of issuance if the license is issued in the open season, and shall authorize the person named therein to hunt during the then open season, and if issued in the closed season shall authorize said person to hunt during the next succeeding open season. Such licenses shall be signed by the commissioner and countersigned by the game warden of the county in which the license is issued and numbered. It shall contain the residence, age, sex and postoffice address of the person to whom issued; also shall state the race, approximate height and weight, and the color of the applicant's hair and eyes. The license fees, less the warden's fees, shall be remitted by the warden to the commissioner not later than the first of the following month. A person may hunt or fish in the open season in his own militia district or on his

Turkey and deer multiply rapidly if they are given an opportunity. With the proper enforcement of the laws within a few years they will be numerous in many counties of the state.

own land without a license. Tenants and their families, by and with permission of the owner of the land, shall be permitted to hunt and fish on the lands leased and rented by them without a license. All licenses shall terminate on the *twentieth day of February* following the date of issuance.

LAND OWNER'S PERMISSION REQUIRED.

Sec. 7. No person shall hunt or fish upon the lands of another with or without license without first having obtained permission from such land owner: *Any person violating this section is hereby declared to be guilty of a misdemeanor, and shall be punished as prescribed in section twelve of this act.*

GAME PROTECTION FUND.

Sec. 8. All moneys received by the commissioner arising under this act shall constitute a fund known as the game protection fund, and shall be devoted to the payment of the salary of the commissioner, his necessary incidental expenses and the salaries of the game wardens and deputy wardens when acting under special instructions from him. Such salaries and expenses shall not be a charge upon the State funds, nor payable out of any other fund than the game protection fund. No voucher for said salaries or expenses shall be paid unless there shall be at the time sufficient money to the credit of said fund in the treasury. If there should be any money in the treasury at the end of the year to the credit of the game protection fund the amount so remaining shall become a part of the public school fund of the State.

CLERKS OF COURT TO REPORT TO COMMISSIONER.

Sec. 9. The clerk of each court in which prosecutions may be instituted for violations of this act shall promptly report to the commissioner the result of said trial and the amount of fines, forfeitures and penalties collected, which said sum shall, after the deduction mentioned in Section 5 of this act, be forwarded to the game commissioner and be placed to the credit of the game protection fund.

JUDGES SHALL CHARGE GRAND JURIES.

Sec. 10. It shall be the duty of the various judges of the superior courts to specially mention in their charges to their respective grand juries the provisions of this act.

People who poison fish or use dynamite to kill them, or who bait dove fields are worse than selfish and lawless. They are savage.

GAME BIRDS AND ANIMALS NAMED.

Sec. 11. The following shall be deemed game birds and animals: Quails, commonly known as Bob White Partridges, doves, snipe, woodcocks, curlews, wild turkeys, grouse, pheasants, deer, squirrels, wild ducks and *marsh hens*.

ILLEGAL TO PURCHASE OR SELL OR OFFER TO SELL.

Sec. 12. Any person who shall purchase or sell, or export for sale, or offer to sell any of the game birds or animals named in section 11 of this act shall be guilty of a misdemeanor, and upon conviction punished by a fine of not less than ten nor more than one hundred dollars, and all costs for each offense, or to work on the public works not less than five nor more than thirty days, and any one or more of these punishments may be ordered in the discretion of the judge.

TRANSPORTATION FORBIDDEN—NESTS AND EGGS PROTECTED.

Sec. 13. Any person who shall transport or ship, or offer to transport or ship, any of the game birds or animals mentioned in Section 11 of this act, without the limits of the State, or from the county in which the game was killed into another county in this State, or who shall sell or offer for sale, or purchase or offer to purchase any part of the plumage, skin or body of any of the game birds or animals mentioned in Section 11 or who shall take or wilfully destroy the nests or eggs of any of said birds, shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by Section 12 of this act; provided it shall be lawful for any person duly authorized to hunt to personally transport, openly, the game actually killed by him from the county in which it was killed to any county of this State, or without the State, but the person killing said game must in each instance accompany the game so killed. Each person hunting shall carry with him his license and exhibit the same promptly upon request of any game warden or deputy warden or ex-officio warden.

OPEN SEASON DEFINED.—POSSESSION IN CLOSED SEASON A CRIME—DOVE BAITING FORBIDDEN.

Sec. 14. Any person who shall hunt, kill or destroy by any means whatsoever, or who is in possession of the following

The use of walnut hulls, devil's shoe strings and other poisons in streams and ponds is worse than barbarous.

named birds or animals, except between the following dates, shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed in Section 12 of this act. Quail, commonly known as Bob White partridges, doves, wild turkey gobblers and plovers from *November the twentieth to March first* following; snipe from December 1 to May 1 following; wood cock, summer or wood duck, from December 1 to January 1 following; deer *October first to December first*; cat squirrels from August first to January 1 following of each year. *It shall be unlawful to kill any fox squirrels prior to January first, 1918. Provided that nothing herein contained shall prohibit the hunting or sale of Migratory ducks, provided that no one person shall kill more than fifty ducks in any one day and the season for shooting migratory ducks is between September 1st and April 20th.* It shall be unlawful at any time of the year to scatter upon the lands of any person, whether it be the owner of the land or not, any corn, wheat or grain or other bait for the purpose of drawing to the lands where such bait is scattered or placed, game birds or doves, for the purpose of shooting or allowing to be shot at, or killing such game birds or doves at or near such lands so baited, and it shall be unlawful for any person to shoot at or kill any dove or other game bird at, upon, over or near any land baited or baited field and for a violation of this provision such person or persons shall be guilty of a misdemeanor and punished as prescribed in Section 1065 of criminal code.

LIMIT OF GAME TO BE KILLED.

Sec. 15. During the open season no person shall be authorized to kill more than three male deer, nor more than three wild turkey gobblers during any one season. Nor more than twenty-five game birds of any one species in any one day, except snipe or doves, of which one person may kill forty in one day. Any person violating this section shall be guilty of a misdemeanor and punished as prescribed Section 12 of this act.

PHEASANT, GROUSE, DOE, TURKEY HENS, PROTECTED FIVE YEARS.

Sec. 16. Any person who shall catch or kill any wild pheasant, grouse, wild doe or fawn, or wild turkey hen, or any

Dynamiting fish is not only a crime against the law, but a wanton destruction of fish life for small compensation. There is no sport in it or excuse for the practice.

imported game birds or game animals prior to December 1, 1916, shall be guilty of a misdemeanor and upon conviction, punished as prescribed in Section 12 of this act.

SNARES, NETS, POISON FORBIDDEN.

Sec. 17. Any person who shall at any time kill or capture or wound any game bird or animal by the use of any pitfall, deadfall, snare, trap, net, pen or other device, or by the use of any poison, drug or explosive, or who shall hunt, catch, or kill any game birds or animals at night, shall be guilty of a misdemeanor, and upon conviction punished as is prescribed in Section 12 of this act.

LICENSE AND CONSENT NECESSARY.

Sec. 18. Any person who shall hunt without first obtaining a license, except on his own land, or in his own militia district, or who lends or transfers his license to another, or who shall hunt upon the lands of another without first having obtained his consent to do so, except persons following hounds in pursuit of foxes or deer or any other animal not mentioned in this act, shall be guilty of a misdemeanor, and upon conviction, punished as prescribed in Section 12 of this act.

COMMON CARRIER SHALL NOT TRANSPORT.

Sec. 19. Any common carrier who shall ship or transfer or carry any game bird or animal without the limits of this State shall be guilty of a misdemeanor, and upon conviction, punished as prescribed in Section 12 of this act; provided the terms of this section shall not apply to game in the personal possession of the party killing the same, provided such party has obtained a license then of force.

AGENTS OF COMMON CARRIERS SHALL NOT HANDLE.

Sec. 20. Any agent or employee of a common carrier who shall receive any game birds or animals for shipment without the State, or from one county to another within this State, shall be guilty of a misdemeanor, and upon conviction punished as prescribed in Section 12 of this act.

PENALTY FOR WARDEN'S NEGLIGENCE OF DUTY.

Sec. 21. Any warden, deputy warden or ex-officio warden who shall fail to perform any act or duty placed upon him by

The legislature is responsible for the wording of the law, the courts have the right to construe it. It is the duty of the warden to enforce it.

this act shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed in Section 12 of this act.

Sec. 22. All monies received by the commissioner arising from the provisions of this act shall be deposited in the State Treasury to the credit of the game protection fund, and said fund shall not be drawn upon or used for any purpose save such as is designated in this act.

BIRDS PROTECTED—EXCEPTIONS.

Sec. 23. It shall be unlawful for any person in this State to kill, catch or have in his possession any wild non-game bird, or to take or destroy the nest or eggs of any non-game birds, or to have the same in his or her possession. Such persons violating the provisions of this Section shall be guilty of a misdemeanor, and upon conviction, punished as is prescribed in Section 12 of this act; provided this section shall not apply to the followinw birds: English sparrows, owls, hawks, eagles, crows, rise birds, and *field or meadow larks*; except persons may ship into this state birds mounted for millinery purposes.

Sec. 24. The game commissioner and wardens shall see that the laws pertaining to fish are rigidly enforced.

Sec. 25. All laws and parts of laws in conflict with this act are hereby repealed.

O'POSSUMS.

Section 590 Criminal Code 1911. If any person shall hunt or catch o'possum between the first day of March and the first day of October of each year, he shall be guilty of a misdemeanor.

FISH LAWS

Criminal Code 1911.

FISHING REGULATED.

Sec. 600. No person shall inhabit, occupy, or reside in any vessel, ark or flat on any river of this State, which shall not be engaged in the lawful commerce of said river in the carriage of goods or produce to or from market unless owned by the proprietors of the shores, or their lessees; provided, nothing in this section shall be construed to prevent the owners of the land and on said rivers, or their lessees, from taking fish in the river opposite their banks; but no seine shall be permitted to be used in said river either by such owners or lessees, from twelve o'clock Saturday night to twelve o'clock Sunday night; and provided also, that every lease or license to fish shall be recorded within ten days after the granting thereof in the clerk's office of the superior court of the county where the land lies. A violation of any of the foregoing provisions shall be punished as for a misdemeanor.

ILLEGAL FISHING.

Sec. 601. No person, other than the proprietors of the shores and banks of salt creeks, estuaries, and rivers, (or such person as shall be by such proprietor authorized,) shall take fish, or attempt to do so, with any line, net, or contrivance, on any estuary, or river, where an artificial shell-reef, beds or fishing grounds have been constructed within one hundred yards thereof. Nor shall one proprietor construct or use such places opposite the shore or bank of another proprietor beyond the center of creek, estuary, or river opposite his own shore or bank. Any person violating the provisions of this section shall be guilty of a misdemeanor.

TRAPS, ETC., UNLAWFUL, EXCEPT BY CONSENT.

Sec. 602. If any person shall put any trap, wire, trot-line, set-line, or other like contrivances, for catching fish for sale, in any of the lakes or other waters of the State, upon or within the lands of another, without the *written* consent of the owner thereof, he shall be guilty of a misdemeanor.

Dove baiting was a crime long before it was made illegal by Georgia laws. It is a sin and a shame.

TRAPS, OBSTRUCTING PASSAGE OF FISH UNLAWFUL.

Sec. 603. If any person shall place in the waters of any river or creek, or any fresh water drain any dam, trap, net, seine, or other device for catching fish, unless the main channel of such stream is left open for a space of ten feet for rivers and one-third of the channel of creek, at low-water mark, unobstructed for the free passage of fish up or down such stream, he shall be guilty of a misdemeanor, and the sheriff of the county, upon complaint of persons in the territory of such obstruction shall have authority to break open any dam, net, or other obstruction that may be placed in such waters in violation of this section. This section does not apply to dams for milling or manufacturing purposes. The words "low-water mark" shall not apply to fresh water drains.

KILLING FISH WITH DYNAMITE OR FIREARMS PROHIBITED.

Sec. 604. If any person shall use firearms, dynamite, or other explosive or destructive substances for the purpose of killing fish, he shall be guilty of a misdemeanor.

POISONING FISH PROHIBITED.

Sec. 611. Any person who shall directly by himself, or by aiding or abetting others, put walnut hulls, walnut leaves, devil shoestring, or any poisonous substances whatever of any kind in any waters, either running streams or standing waters, such as lakes, ponds, or eddy places in any river or creek within the limits of this State, which will be likely to drive away or poison the fish therein by contaminating said waters, shall be guilty of a misdemeanor.

CLOSED PERIOD FOR FISHING EXCEPT WITH HOOK AND LINE.

Sec. 612. If any person shall catch or take any fish with seine, net, gig, or spear, or like device from any of the waters of this State, between the first day of February and the first day of July in each year, except with hook and line, he shall be guilty of a misdemeanor.

Among the enemies of the quail are floods and forest fires, hawks, four footed animals and some two footed animals, namely the game hog and the pot hunter.

Sec. 613. In the case of shad the above prohibition as to dates shall apply only between the 15th of April and the 1st of July.

DRIFT-NETS.

Sec. 614. Whoever shall catch any shad or other fish, or use for the purpose of catching shad or other fish, in any of the waters of this State, any net or nets known as drift-nets, between the hours commencing at sundown on Thursday of each week and ending at sunrise on Monday morning of the next week, shall be guilty of a misdemeanor.

Sec. 605. If any person shall use nets, seines, or other contrivances covering, extending to, or obstructing more than one-half of the stream, for catching or taking shad in any of the streams of this State, he shall be guilty of a misdemeanor.

Sec. 606. There shall be a "closed time" for the rivers in which shad are caught, of forty-eight hours; commencing at sunrise on Saturday morning of each week, and ending at sunrise on Monday morning of the next week during which "closed time" no shad or other migratory fish shall be caught by nets, wires, pounds, or any other means whatever; neither shall such nets, wires, pounds, or other apparatus be left in said rivers during said "closed time." The meshes of nets or other apparatus for catching said fish shall not be less than five inches.

Sec. 607. No shad shall be taken, except between the first day of January and the twentieth day of April of each year except for spawning purposes, to carry out the provisions of the law for propagating fish.

Sec. 608. A violation of either of the two proceeding Sections shall be a misdemeanor.

SEINING OR NETTING FOR MOUNTAIN TROUT PROHIBITED.

Sec. 609. If any person shall seine or net for fish in any of the streams in which mountain trout exist, or be placed, he shall be guilty of a misdemeanor.

A warden enforced game law is the only game law that counts.

SAW DUST FLOATING INTO STREAMS, PROHIBITED

An Act to prohibit the floating of saw dust into any of the streams of this State, and for other purposes.

Section 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same, That from and after the passage of this Act, it shall be unlawful to float saw dust into any of the streams of this State.

Sec. 2. Be it further enacted, That any person or persons or corporations violating the provisions of Section one of this Act shall be punished as for a misdemeanor.

Sec. 3. Be it further enacted, That this Act shall not go into effect in any county until it has been recommended by two grand juries of the county.

Sec. 4. Be it further enacted, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

Approved August, 19th, 1911.

TERRAPINS

CLOSED SEASON FOR TERRAPINS.

Sec. 595. If any person shall capture terrapins in any of the rivers, estuaries, bays, sounds, creeks, or tide-waters of this State, by means of seines, nets, traps, or other device, from the first day of March to the twenty-fifth day of July, he shall be guilty of a misdemeanor.

FEMALE TERRAPINS UNDER CERTAIN SIZE SHALL NOT BE TAKEN.

Sec. 596. No person shall capture in any manner, or at any time, female terrapins of a less size than five and one-half inches measured lengthwise on the lower shell; and when any such terrapins are caught, they shall be at once returned to the waters from which they were taken. The violation of this section shall be a misdemeanor.

POSSESSION EVIDENCE—EXCEPTION.

Sec. 597. It shall be prima facie evidence of a violation of the provisions of the two preceding sections for any person, or persons to be found in possession of any terrapin of a less size than five and one-half inches, measured lengthwise on the lower shell, at any season of the year, or of any terrapin of any kind between the first of March and the 25th of July; provided, that nothing in this section shall be so construed as to apply to persons owning and maintaining a bona fide and duly established terrapin crawl, or pen in which terrapins may be kept for the purpose of raising and cultivation.

REGULATION AS TO NETS.

Sec. 598. It any person shall at any time use any seine, net, trap, or other device for the capture of terrapins, with meshes or openings smaller than five and one half inches stretched, or four and one fourth inches loose measure, he shall be guilty of a misdemeanor.

TURTLES, WHEN TO BE TAKEN.

Sec. 599. If any person shall take turtles within tide-water at any time other than from the first day of May to the first day of September, he shall be punished as for a misdemeanor.

We are trying to save the birds for the farmer, the sportsman, and ther good citizens. They all should help us.

OYSTER LAWS

Sec. 615. If any person shall pick, tong, dredge or in any other manner take or catch oysters from any of the waters of this State, except from private beds, from the first of May to the thirty-first day of August, inclusive, except for the purpose of replanting the same in the waters of this State, or shall take them for any purpose during any season from one hour after sunset on Saturdays until one hour before sunrise on the succeeding Mondays, he shall be guilty of a misdemeanor.

Sec. 616. If any person shall "rough" take or catch oysters from any of the public beds within the waters of this State, unless the same shall be culled over the beds from which they may be taken, except when the weather is such as to render it dangerous to remain at the beds, he shall be guilty of a misdemeanor. This section shall not apply to the taking of oysters for the purpose of replanting the same in any waters of this State.

Sec. 617. If any person shall, without authority from the owner, take or catch oysters from any private beds, or remove or deface any oyster-marks, he shall be guilty of a misdemeanor.

Sec. 621. If any person shall tong or catch oysters between sunset and sunrise, unless an unobstructed light, six feet above the gunwale, be carried on board the boat used for such purpose, he shall be guilty of a misdemeanor.

Sec. 1939. *Non-residents forbidden to procure beds in this State.* It shall not be lawful for any person or persons, corporations, or agents thereof, who are engaged in any other State in the business of shipping or canning oysters, to procure the oyster beds of this State.

Ses. 1940. *Unlawful to use scoop, etc, in certain waters.* It shall not be lawful to take or catch any oysters in any of the waters of this State with or by a scoop, rake, drag, or dredge, or by the use of any other instrument than the oyster tongs heretofore in general use for taking oysters, except within the waters more than one thousand feet distance from the shore-line at ordinary mean low tide. Oysters may be taken by any means or device from any private bed by the owner

A state license costs about as much as a horse and buggy for one day's hunting and the money is expended for your benefit.

or lessee thereof, and for the purpose of transplanting to other beds in this State from territory unleased within said limits of one thousand feet; but, in the last case, only upon the consent and approval of the county commissioners for the county within which said territory may be located, or upon the consent and approval of the ordinary for those counties which may have no Board of County Commissioners.

Sec. 1941. Beds in water not wider than one hundred and thirty feet, private property. When oyster-banks or beds of oysters of natural formation are within rivers or creeks of this State, not exceeding one hundred and thirty feet in width at ordinary mean low tide, and not used for purpose of navigation, the persons having the ownership of the lands of both sides of such creeks or rivers shall have the exclusive right to the usufruct of said banks or beds of oysters as aforesaid; provided, however, that the rights of oppositeriparian proprietors shall only extend to the middle of the stream.

Sec. 1942. Leasing and striking lots. The county commissioners in any county, or where there is no board of county commissioners, the ordinary for said county, upon the application of any person for certain territory in any of the navigable waters of this State, and within a distance of one thousand feet from the shore at ordinary mean low tide, upon satisfactory proof, on hearing had before the county commissioners or the ordinary, that said territory has been duly staked off at the line of ordinary mean high water where the leased ground is opposite the public marshes of this state, and in all other cases at the line of low water, except where the consent of the adjacent landowners is obtained for the staking off at said line of high tide, for a period of thirty days before the hearing of such application, shall execute a lease for twenty years, with privilege of renewal for thirty years more, to such applicant as may first apply for such territory, where there are no natural beds as evidenced by the survey referred to in Section 1946. Any person who has already planted any ground within said county shall have the preference in obtaining the lease of such grounds; and upon application of any other person for said territory, the proper authorities for executing such leases shall give thirty days notice of such application, by posting a notice at the Court House door, and if the person who has planted oysters thereon shall make application therefor before the expiration of said thirty days, it shall be leased to him, but otherwise to the aforesaid applicant;

The wardens endeavor to protect the game for the public's benefit.

provided, that the provisions of this section shall not apply to oyster beds staked out under laws heretofore existing, nor to territory within one hundred and twenty feet of the line of ordinary mean low tide in front of and adjoining habitable high land returned for taxation.

Sec. 1943. Planting-Ground, etc. Said lease shall convey the exclusive privileges of bedding or planting oysters thereon to the distance of one thousand feet beyond mean low water mark, and within such limits each applicant shall be entitled to not more than five acres of such territory, which need not be continuous, but within such allotment such lessee shall not be entitled to more than two planting places; provided, that such lessee deposit at least one hundred bushels of dead shells or plant one hundred bushels of oysters to every acre of planting ground at the rate of one acre or more each year, until five acres have been planted; and provided also that he cause to be placed at intervals of one hundred yards along the line of ordinary mean high water of such planting ground in all cases where the leased ground opposite to the public marshes of this State, and in all other cases at the line of low water, except where the consent of the adjacent landowners is obtained to the staking off at said line of high water, a post not less than six feet above the ground, and board attached, the latter not less than one foot square, upon which a black letter "O" not less than eight inches long has been plainly printed on a white ground; provided also that along navigable streams subject to entry under this Chapter the right of no lessee of a five acre tract shall extend beyond the middle of the stream; provided further, that in event that said lessee shall fail to comply with the requirements of this section as to the cultivation of his territory, he shall forfeit so much of his territory as has not been cultivated as hereinbefore required, and if said lessee shall at any time during the term of his lease, abandon said territory and cease to cultivate oysters for the space of one year, said lease shall be void and territory shall revert to the State.

Sec. 1944. Notice of application for lease, advertised. Upon the application of any person, or persons, made to the county commissioners of the county within which said territory may be situated. Or, where there are no county commissioners, then to the ordinary for said county, for territory within the navigable waters of this State for which no application has

Every man who hunts should gladly pay the license fee, which is used for the protection of the game he wishes to hunt.]

already been duly made, and which is located more than one thousand feet distant from any shore line at ordinary mean low tide, upon which to cultivate oysters or propagate the same by artificial methods, which said application shall particularly describe the territory desired, said county commissioners or said ordinary shall require the applicant to advertise in the newspaper which is the official paper of the county in which the territory is located, for thirty days a notice of said application, particularly describing the territory desired and its location in reference to the nearest lands, and upon the expiration of said advertisement the said county commissioners or said ordinary shall grant, in the name of and in behalf of the State, to such person or persons, by written instrument a lease of such territory for fifty years for the purpose of cultivating and propagating oysters, and thereupon the person or persons to whom the same may be leased shall, under the direction of the county surveyor, distinctly stake or buoy the same, and shall cause a survey of said territory to be made and placed on file in the office of the clerk of the superior court for record with said lease; Provided that no applicants shall be entitled to receive from said authority a lease for more than five hundred acres within said waters; and provided further that the planting, cultivating and dredging of oysters therein shall in no wise interfere with navigation.

Sec. 1945. Lease within one thousand feet, when. Whenever it is impracticable to obtain as much as five hundred acres of continuous territory beyond the limits of one thousand feet from low water, or whenever, in the judgment of the county commissioners or the ordinary, it is for the best interests of the State so to do, said county commissioners or ordinary, upon due application thereof, may grant leases to extend within said limits of the thousand feet to the line of low water where the land adjacent thereto consists of marshes, and to a point one hundred and twenty feet from said line of low water where the land adjacent thereto is habitable high land returned for taxation. If impracticable to maintain the buoys in position, in consequence of the strength of the current, or for other cause, ranges and range-stakes, is shown on the survey recorded in the office of the Clerk of the Superior Court, shall be deemed sufficient.

Sec. 1946. Natural beds. The natural oyster beds of the State shall forever remain the property of this State, open to all her citizens for the procuring of oysters for consump-

All laws ought to be enforced. The game law must be.

ion, sale seed, or propagation purposes; and for the better securing of this purpose, the charts made and published in consequence of a resolution passed by the Legislature of this State, by United States Geodetic Survey, known as "Bulletin No. 19" shall be evidence of the location of such natural oyster-beds and of vacant ground; Provided that wherever beds shown by said "Bulletin No. 19" to be natural oyster beds shall as a matter of fact not extend below low water mark, then the territory below low water mark shall nevertheless be open to lease. Except as herein stated, it shall not be lawful for the county Commissioners or ordinary to grant lease on any or all territory indicated on said "Bulletin No. 19" as vacant.

Sec. 1948. Former leases validated. Nothing in this Chapter shall be construed to affect the titles of the leases of oyster territory which has heretofore been leased by county commissioners or ordinaries, and all leases executed by them before September 22nd, 1891, or any assignments which have been made of the leases of five acre tracts are hereby confirmed and validated.

Sec. 1949. Leased territory planted, how. Each person applying for and receiving a lease of five hundred acres or less shall plant at least one tenth of said leased territory, at the rate of not less than one hundred bushels of oysters or shells per acre, in each and every year, beginning with the planting season next after a lease therefore has been executed, and for a failure thereof the lease of said territory shall forfeit to the State so much of said territory as is not so cultivated as prescribed by this section; and if said lessee shall at any time during the term of his lease abandon said territory and cease to cultivate oysters thereon for one year said lease shall be void and said territory revert to the State. Oysters shall not be taken from said territory for sale or for consumption until at least one year after oysters or shells have been planted thereon in the proportions hereinbefore prescribed.

Sec. 1950. Leases recorded. All leases and transfers thereof shall be recorded by the persons to whom such lease or transfers are made, in the office of the Clerk of the Superior Court, in like manner as deeds of real estate or required to be recorded, in a separate book to be kept for the purpose; but no lessee of tracts larger than five acres shall be authorized

It's just as easy to be a sportsman as it is to be a game hog.

to sublet or assign his lease or any portion of the territory conveyed thereby, until he shall have reduced to cultivation at least one tenth of the territory leased by him.

Sec. 1951. One dollar per acre. The person or persons to whom such leases are made shall pay to the authorities making such leases the sum of one dollar for each and every acre so leased, and all money so paid shall be appropriated to the school fund of the State; and in addition to said sum, a fee of fifty cents for leases of five acre tracts or less, and for all leases of territory beyond said limit of one thousand feet a fee of two and one-half per cent, estimated upon the amount paid for the territory thus leased, shall be paid to the authority making the lease.

Sec. 1952. Leases approved by attorney-general. The applications and leases, hereinbefore provided for, shall be in a manner and form as shall be approved by the attorney-general of this State.

Sec. 1954. Returnable for taxation. The lessees of all such leased territory shall return the same for State and County taxation in the same manner as other property is returned.

Sec. 1955. Rights of citizens protected. No provision of this Chapter shall be so construed as in any manner, during the open season herein provided, to abridge or interfere with the rights of any citizen of this State to enter upon and take from any public beds oysters by the use of such implements as may have been heretofore in general use in this State and no provision of this chapter shall be so construed as to interfere with or abridge the wharfing privileges or riparian owners. It shall not be lawful for any applicant for territory upon which to replant oysters to receive a lease for any of the beds or planting grounds of any of the natural oyster beds which are resorted to by the public for the purpose of procuring oysters by the use of tongs for consumption or sale.

Section 1956. Planted oyster beds protected. When any person having taxable lands upon the banks or shores of any of the rivers or creeks of this State shall plant beds of oysters upon them, it shall not be lawful for any other person to take from such beds of oysters; Provided, the same shall be distinctly staked or otherwise marked.

The cost of hunting license is the same to all citizens.

DECISIONS OF COURTS

HAMMOND V. THE STATE.

3813

10 Ga., Page 143.

1. In the construction of general and special acts, the maxim "*generalalia specialibus non derogant*" applies, and a general act will be held to repeal or modify a special act embraced within the terms of the general act only when the provision of the two acts are clearly repugnant and irreconcilable, or where the provisions of the general act manifest that it was the intention of the legislature to enact a general law on the subject-matter which should be exhaustive and a substitute for every prior general, local, and special law relating to the subject-matter.

2. The general law on the subject of the protection of game in this State, approved August 21, 1911, (Acts 1911, p. 137), was intended by the legislature to be exhaustive of the subject, and was intended to repeal all existing general, special, or local laws on the same subject-matter.

Decided November 20, 1911.

ALLEN VS. STATE.

3943

11 Ga., Page 75.

1. In the exercise of the police power of the State, the legislature may prohibit the killing of wild game or any traffic or commerce in it, if deemed necessary for its preservation or protection, or for the public good, and to accomplish this end, may make it criminal for any person to sell or offer for sale any of such game, or to have in possession any such game during the closed season, whether the game which he sells or offers for sale, or has in his possession, was killed or taken within or without the State.

2. Under the terms of the act of 1911, commonly known as the "game law" (Acts 1911, p. 137) it is unlawful to purchase or sell, or offer for sale in this State at any time any of the game protected by the prohibitory section of the act, or to have in possession any of such game during the closed season specified in the act, without regard to where it was killed or

Law enforcement is important to all good citizens. The enforcement of the game law is most important in the rural districts.

taken, whether within or without the State. The legislature intended by the explicit and broad provisions of the statute, to insure the preservation and protection of the game there specified within this State, by making the act of selling it or offering it for sale, or having it in possession during the closed season, specific offenses, whether the game was killed or captured within the limits of the State or elsewhere.

Decided April 16, 1912.

(11th Georgia App. P. 809.)

The Court of Appeals has decided the generally debated question as to whether license and consent are necessary to hunt animals not classified as game animals. In the case of Blassingame vs. State from the City Court of Madison:

"1. The primary purpose of the Act of 1911 (Acts of 1911, p. 137), is the preservation of the game specified in the act. As incidental to that purpose. Section 7 of that act makes it unlawful for any person to hunt not only the game enumerated in the act, but any game or other animals not enumerated, either with or without a license, upon the land of another without first obtaining the consent of the land owner." * * * * * "This court holds that no kind or character of game, whether designated by the act or not, can be hunted without complying with the requirements as to license, and without first obtaining the permission of the land owner." * * * * * "The other exceptions is 'persons following hounds in pursuit of foxes or deer, or any other animal not mentioned in this Act'; and this simply means that where a hunter is lawfully hunting upon the lands of another with permission, and, in so hunting, the hounds find, upon the lands upon which he has permission to hunt, foxes, deer, or any other animal not mentioned in this act, and the game is pursued by the hounds, he may follow the hounds in pursuit on to land upon which he has no permission to hunt." * * * * *

ROBINSON V. THE STATE.

4161 11 Ga., Page 847.

To shoot at any of the game specified in the Act of 1911, (Acts 1911, p. 137), during the closed season designated therein, is a violation of its terms, which make it a penal offense to hunt,

Wardens should buy license early in the season and set a good example thereby.

kill or destroy by any means whatever between the dates stated, any of the game mentioned in the act. An instruction to the effect that shooting, or shooting at, any of the protected game was hunting such game, within the purview of the act and the legislative intent relating thereto, was not erroneous.

Decided July 10, 1912.

BOLTON V. THE STATE.

4571

12 Ga., Page 358.

HILL, C. J. Section 612 of the Penal Code is as follows: "If any person shall catch or take any fish with seine, net, gig, or spear, or like device from any of the waters of this State, between the first day of February and the first day of July in each year, except with hook and line, he shall be guilty of a misdemeanor." The accusation against the plaintiff in error alleged that he "did on the 20th day of May, 1912, in county aforesaid, unlawfully and with force and arms, catch and take fish from the waters of Flint river, with a basket commonly called a fish basket, contrary to the laws of said State," etc. A demurrer was filed, setting up that no offense was described in the accusation, and that it did not show, with the certainty required by law, "the means of instrument with which the accused is charged with catching and taking fish," and that it failed to allege that the taking of the fish was in the closed season. The demurrer was properly overruled. (a) The allegation that the criminal act was committed on the 20th day of May, 1912, was sufficient to charge that it was within the closed season, the closed season fixed by the statute being the period extending from the first day of February to the first day of July. (b) It was not necessary to allege that the "fish basket" used by the accused was a device like a "seine, net, gig, or spear," for, whether a "like device" or not, the statute expressly says that between the dates specified no fish shall be caught or taken from any of the waters of this State, "except with hook and line." Judgment affirmed.

Decided February 18, 1913.

ROBINSON V. THE STATE.

4760

12 Ga. Page 683.

POTTLE, J. 1. The primary purpose of the act approved August 21, 1911, (Acts 1911, p. 137), is the preservation of

A warden or deputy who neglects his duty is guilty of a misdemeanor. Read section 21.

game and fish; but, as incidental to this purpose, it is by Section 7 of the act made a misdemeanor to "hunt or fish upon the lands of another, with or without a license, without first having obtained permission from such landowner." Consent of the land owner is in all cases an essential condition precedent to the right to hunt or fish in his lands. *Blassingame v. State*, 11 Ga. App. 809. (76 S. E. 32).

2. One who fishes upon the lands of another without his consent is guilty of a misdemeanor, without reference to the character of the water from which the fish are taken. Hence, one who enters upon the land of another without his consent, and while thereon takes fish from a navigable stream upon which the land abuts, is guilty of a violation of the Act of 1911.

3. It is not decided whether the Ochlochnee River is a navigable stream in Thomas County within the meaning of Section 3631 of the Civil Code. Judgment affirmed.

Decided May 6, 1913.

ORDER OF POSTMASTER GENERAL

EXCLUDING GAME FROM PARCELS POST.

Office of the Postmaster General,
Washington, Dec. 23, 1913.

Order No. 7734.

The Postal Laws and Regulations, edition of 1913, are amended by the addition of the following as Section 477½:

SEC. 477½. Postmasters shall not accept for mailing any parcel containing the dead bodies, or parts thereof, of any wild animals or birds which have been killed or are offered for shipment in violation of the laws of the State, Territory or District in which the same were killed or offered for shipment: *Provided, however,* That the foregoing shall not be construed to prevent the acceptance for mailing of any dead animals or birds killed during the season when the same may be lawfully captured, and the export or transportation of which is not prohibited by the law in the State, Territory, or District in which the same are captured or killed.

Doe, fawn and turkey hens are protected until December 1, 1916, and will probably be protected after that date, unless they multiply very rapidly.

2. Parcels containing the dead bodies of any game animals, or parts thereof, including furs, skins, skulls or meat, or any game or wild birds, or parts thereof, including skins, or plumage, may be admitted to the mails only when plainly marked on the outside to show the actual nature of the contents and the name and address of the sender or shipper: *Provided, however,* That no parcel containing fresh game in any form may be accepted for transmission beyond the second zone. (See Sec. 475.)

3. Postmasters desiring additional information on this subject should address the Third Assistant Postmaster General, Division of Classification.

NOTE.—Sections 242, 243 and 244, Act of March 4, 1909, 35 Stat., 1137, make it unlawful to ship in interstate commerce the dead bodies, or parts thereof of any game animals or wild birds which have been killed or shipped in violation of the laws of the State, Territory, or District in which the same were killed, or from which they were shipped.

A. S. BURLESON,
Postmaster General.

PROVISIONS OF THE NATIONAL GAME LAW APPLYING TO THE STATE OF GEORGIA

By the President of the United States of America.

A PROCLAMATION.

Whereas, an Act of Congress, approved March 4th, nineteen hundred and thirteen, entitled "An Act making appropriations from the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and fourteen" (37 Stat., 847), contains provisions as follows:

All wild geese, wild swans, brant, wild ducks, snipe, plover, woodcock, rail, wild pigeons, and all other migratory game and insectivorous birds which in their northern and southern migrations pass through or do not remain permanently the entire year within the borders of any State or Territory, shall hereafter be deemed to be within the custody and protection of the Government of the United States, and shall not be destroyed or taken contrary to the regulations hereinafter provided therefor.

The Department of Agriculture is hereby authorized and directed to adopt suitable regulations to give effect to the previous paragraph by prescribing and fixing closed seasons, having due regard to zones of temperature, breeding habits, and times of migratory flight thereby enabling the department to select and designate suitable districts for different portions of the country, and it shall be unlawful to shoot or by any device kill or seize or capture migratory birds within the protection of this law during said closed seasons, and any person who shall violate any of the provisions or regulations of this law for the protection of migratory birds shall be guilty of a misdemeanor and shall be fined not more than \$100 or imprisoned not more than ninety days, or both, in the discretion of the court.

The Department of Agriculture, after the preparation of said regulations, shall cause the same to be made public, and shall allow a period of three months in which said regulations may be examined and considered before final adoption, permitting, when deemed proper, public hearings thereon, and after final adoption shall cause the same to be engrossed and submit-

The sportsmen of Georgia probably kill less than 25 per cent of the quail destroyed each year. Forest fires, floods, four footed animals, hawks and snakes all contribute to their destruction.

ted to the President of the United States for approval: Provided, however, That nothing herein contained shall be deemed to affect or interfere with the local laws of the States and Territories for the protection of nonmigratory game or other birds resident and breeding within their borders, nor to prevent the State and Territories from enacting laws and regulations to promote and render efficient the regulations of the Department of Agriculture provided under this statute.

Whereas, the Department of Agriculture has duly prepared suitable regulations to give effect to the foregoing provisions of said Act and after the preparation of said regulations has caused the same to be made public and has allowed a period of three months in which said regulations might be examined and considered before final adoption and has permitted public hearings thereon:

And, Whereas, the Department of Agriculture has adopted the regulations hereinafter set forth and after final adoption thereof has caused the same to be engrossed and submitted to the President of the United States for approval:

Now, therefore, I, Woodrow Wilson, President of the United States of America, by authority in me vested do hereby proclaim and make known the following regulations for carrying into effect the foregoing provisions of said Act:

REGULATION 1. DEFINITIONS.

For the purposes of these regulations the following shall be considered migratory game birds:

(a) Anatidæ or waterfowl, including brant, wild ducks, geese, and swans.

(b) Gridæ or cranes, including little brown, sandhill, and whooping cranes.

(c) Rallidæ or rails, including coots, gallinules, and sora and other rails.

(d) Limicolæ or shore birds, including avocets, curlew, dowitchers, godwits, knots, oyster catchers, phalaropes, plover, sandpipers, snipe, stilts, surf birds, turnstones, willet, woodcock, and yellow legs.

(e) Columbidae or pigeons, including doves and wild pigeons.

For the purposes of these regulations the following shall be considered migratory insectivorous birds:

The birds of Georgia, particularly quail, are valuable as food, but are much more valuable as insect destroyers.

(f) Bobolinks, catbirds, chickadees, cuckoos, flickers, fly-catchers, grosbeaks, humming birds, kinglets, martins, meadow-larks, nighthawks or bull bats, nuthatches, orioles, robins, shrikes, swallows, swifts, tanagers, titmice, thrushes, vireos, warblers, waxwings, whippoorwills, woodpeckers, and wrens, and all other perching birds which feed entirely or chiefly on insects.

REGULATION 2. CLOSED SEASON AT NIGHT.

A daily closed season on all migratory game and insectivorous birds shall extend from sunset to sunrise.

REGULATION 3. CLOSED SEASON ON INSECTIVOROUS BIRDS.

A closed season on migratory insectivorous birds shall continue to December 31, 1913, and each year thereafter shall begin January 1 and continue to December 31, both dates inclusive, provided that nothing in this or any other of these regulations shall be construed to prevent the issue of permits for collecting birds for scientific purposes in accordance with the laws and regulations in force in the respective States and Territories and the District of Columbia; and provided further that the closed season on reedbirds or ricebirds in Maryland, the District of Columbia, Virginia, and South Carolina shall begin November 1 and end August 31 next following, both dates inclusive.

REGULATION 4. FIVE-YEAR CLOSED SEASON ON CERTAIN GAME BIRDS.

A closed season shall continue until September 1, 1918, on the following migratory game birds: Band-tailed pigeons, little brown, sandhill, and whooping cranes, swans, curlew, and all shorebirds except the black-breasted and golden plover, Wilson or jack snipe, woodcock, and the greater and lesser yellowlegs.

REGULATION 6. ZONES.

The following zones for the protection of migratory game and insectivorous birds are hereby established:

The most popular officer is the officer who does his duty, and the most popular law is one that is enforced.

ZONE No. 1, Does not apply to Georgia.

ZONE No. 2, the wintering zone, comprising States lying wholly or in part south of latitude 40° and the Ohio River and including Delaware, Maryland, the District of Columbia, West Virginia, Virginia, North Carolina, South Carolina, GEORGIA, Florida, Alabama, Mississippi, Tennessee, Kentucky, Missouri, Arkansas, Louisiana, Texas, Oklahoma, Kansas, New Mexico, Arizona, California, Nevada, and Utah—23 States and the District of Columbia.

REGULATION 7. CONSTRUCTION.

For the purposes of regulations 8 and 9, each period of time therein prescribed as a closed season shall be constructed to include the first day and to exclude the last day thereof.

REGULATION 8. DOES NOT APPLY TO GEORGIA.

REGULATION 9. CLOSED SEASON IN ZONE NO. 2.

Closed season in Zone No. 2 shall be as follows:

Waterfowl.—The closed season on water fowl shall be between January 16 and October 1 next following, except as follows:

In Florida, GEORGIA, and South Carolina the closed season shall be between February 16 and November 20.

Rails.—The closed season on rails, coots and gallinules shall be between December 1 and September 1, next following.

Woodcock.—The closed season on woodcock shall be between January 1 and November 1, except as follows:

In GEORGIA the closed season shall be between January 1 and December 1.

Shore birds.—The closed season on black-breasted and golden plover, jacksnipe or Wilson snipe, and greater and lesser yellowlegs shall be between December 16 and September 1, next following, except as follows:

Exceptions: In Florida, GEORGIA, and South Carolina the closed season shall be between February 1 and November 20.

Some quibble about "God-given rights," one "God-given right" is the right to have the laws of the land enforced; see that that is the case in your county.

REGULATION 10. HEARINGS.

Persons recommending changes in the regulations or desiring to submit evidence in person or by attorney as to the necessity for such changes should make application to the Secretary of Agriculture. Whenever possible hearings will be arranged at central points, and due notice thereof given by publication or otherwise as may be deemed appropriate. Persons recommending changes should be prepared to show the necessity for such action and to submit evidence other than that based on reasons of personal convenience or a desire to kill game during a longer open season.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this first day of October in the year of our Lord one thousand nine hundred and thirteen and of the Independence of the United States the one hundred and thirty-eighth.

(SEAL.)

WOODROW WILSON.

By the President:

W. J. BRYAN,

Secretary of State.

GENERAL INFORMATION

THE GAME LAW AND ITS BENEFITS.

The Georgia Game Law protects the rights of the landowners and of the sportsmen, and they are its best friends. The stopping of the sale of game and of hunting and fishing without permission of the landowners has the salutary effect of reducing the numbers of those who visit the fields and streams for the purpose of taking game and fish improperly; thereby causing a corresponding increase of both; and resulting in a greater number of legitimate sportsmen, as the better conditions induce more frequent visits to the fields and streams on the part of persons in search of real sport and healthful recreation. But that is not the most important advantage of our warden-enforced laws, which establish a reasonable rule for the guidance of all, and under the operation of which the out of season or killing game illegally that is protected by the law, which is nothing more than taking a mean advantage of his law-abiding neighbor. But possibly the greatest advantage of all from the law is that it will restore to Georgia's forests, fields and streams an abundance of game and fish for the enjoyment of the people and for the protection of the crops and of life itself. The scientists of today believe that the unrestrained killing of birds has given an unnatural advantage to insect life, resulting in the destruction of crops. The best informed men, who have studied the subject, believe, and argue with reason, that the Bob White partridge, familiar in every county in the state, is our best protection against the dreaded boll weevil.

THE LAW AND THE LAND OWNER

The new law is aimed primarily at the "game hog," who is not satisfied with a reasonable amount of game; and the "pot hunter," who scours the woods and drags the streams in search of game and fish for the market, and who has no regard for the law, or the rights of the land owners; who tears

No true sportsman will decimate a covey of quail wilfully, two or three pairs should be left in every covey for the next season's propagation.

down or shoots down the trespass notices and who would soon entirely destroy the most desirable game. Under the new law everybody's land is "posted," and it is a crime for any man to go on the lands of another for the purpose of hunting or fishing without the owner's consent. The land owner is aided by the machinery of the present law, which requires the wardens and deputy wardens to prosecute. A land owner may not be willing to see the game and fish on his place killed and caught by others, and yet not be disposed to prosecute, or even call the matter to the attention of the grand jury, and the new law provides a method which will protect him in a measure, without his personally giving direction thereto. The law is automatic and provides strong inducements in the form of fees and fines, and in addition makes it a misdemeanor for warden or deputy warden to fail in his duty, see Section 21.

POISONING AND DYNAMITING FISH.

Probably the ugliest crime connected with the destruction of game and fish and one that is devoid of the semblance of sport, is the practice of poisoning or dynamiting the ponds and streams, destroying all life for the sake of a day's supply of fish. For a mess of fish many thoughtless citizens have been guilty of this inexcusable practice. IT IS THE FIXED POLICY OF THIS DEPARTMENT TO RELENTLESSLY HUNT DOWN AND VIGOROUSLY PROSECUTE EVERY PERSON PARTICIPATING IN SUCH VIOLATIONS OF THE LAW. And the Department should have the assistance and encouragement of every good citizen in checking this villainous practice.

DOVE BAITING.

Next to dynamiting fish is the barbarous practice of baiting doves and killing them by the thousand. This is a wanton destruction of one of our finest game birds. It must not be attempted in Georgia now, and every warden or deputy warden who fails to do his duty in prosecuting those who violate this provision of the law will receive the censure of this Department, and every good citizen who fails to report such violations should be censured by a quickened conscience.

THE PROTECTION OF MIGRATORY BIRDS

Some persons claim that because doves and ducks are of a migratory nature, to kill them in large quantities does

When in doubt inquire of this office; we will be glad to set you right,

not materially effect the supply. It's a selfish view of the matter, to assume that the laws of Georgia, or any other state, should ignore the rights of the people in other States, or the rights of the generations to come, for it is the coming generations who will enjoy the full fruition of our present excellent laws. The robin is another migratory bird that deserves our careful protection. They are loved and petted by the people in the States north of us, where they nest in summer. Because they are migratory is no reason why they should be wantonly destroyed during their short winter visits. They are good insect destroyers.

DEPARTMENT OF GAME AND FISH SELF-SUSTAINING.

Only those who enjoy hunting the game protected by this Department are called upon to support it. Not a dollar can be taken from the tax payers to pay any part of the expenses of this Department. No money has been appropriated from the State Treasury; on the other hand a considerable amount will be given by this Department to the School fund each year. The department is supported by the very moderate fees charged for hunting licenses, which amount to more than enough to meet all expenses, leaving the fines and penalties, or that part of them reserved for the State, after paying for the prosecution, entirely for the school fund. Thus the citizens of Georgia may know that all fines paid into this Department for violating this law, become a part of the Public School Fund for the education of the children of this State, whom we hope will be taught the importance of sustaining a law which will produce so much good.

PUBLIC SENTIMENT

Public sentiment, usually against any new law until it has been tried, is rapidly crystalizing in favor of the strict enforcement of the game law. The public demands the prosecution and conviction of those who violate the law. Unless the law is evenly enforced it would naturally become unpopular and difficult to enforce at all, and this department may be expected to

A sportsman is a hunter who enjoys a day in the field; takes no advantage of the birds or his fellow man, who respects the law and the rights of others, and is willing to make sacrifices that there may be game in plenty another season.

use every legitimate means to secure a uniform observance of its provisions in every county of Georgia. A healthy public sentiment is essential to the successful and uniform enforcement of the law and for that reason the department will distribute in every county in the State this booklet and other literature calculated to prepare the public mind for the strict enforcement of the law.

We appeal to every law abiding citizen to put the weight of his influence on the side of law enforcement. If that is generally done the new game law will soon become one of the most popular of the Georgia statutes.

THE WARDEN'S DUTY

The duty of the county warden and his deputies is plain as laid down in the law, but when left to act upon their own initiative it is natural that even the best of them sometimes become indifferent, or at least forgetful of the important work they have in hand, as they become absorbed in their business affairs, particularly in the closed season. For that reason this central office has been established, and it will be our pleasure and duty to constantly remind the wardens of the necessity for vigilance and strict enforcement by prosecution, if necessary, of those who break the law. Wardens are warned against rash and ill advised prosecutions. They should know the difference between persecution and prosecution; and while the law should be enforced, it is not necessary to enforce it rashly. It is the duty of the warden to so conduct his prosecutions as to make friends of the neighbors of the violator he prosecutes. It should be his purpose to see that the game law is the most popular as well as the best enforced law in the State, and to do that there must be no discrimination between persons or classes. When in doubt, communicate with this office.

SOME QUESTIONS ANSWERED

The law plainly requires a license to hunt, the kind of game hunted is not material; bird hunters are liable to shoot a rabbit and vice versa. If a person goes equipped with gun and dog

A law breaker is a man who does not care for the law or its value to the public. He is a criminal by nature, and a menace to society.

into the forests or fields the presumption is he is "hunting," and to do that he should have a license if he is out of his own militia district, and permission of the land owner if not on his own land. Sometimes a prosecuting warden may fail to convince a petty jury but that should not discourage the warden, his duty is to prosecute when he thinks he has evidence that the law has been violated.

The law does not require a license to fish, but it does require permission of the land owner, and that is probably the most important feature of the law.

It is against the law to take fish in any manner except with hook and line between February 1st and July 1st, and this applies to ponds wholly within one man's land lines as well as to streams that cross many land lines. No man should want to fish his private pond in the spawning season. The law seems to contemplate that it is improbable if not impossible to maintain a fish pond so isolated that it will not at times of high water connect with other waters, permitting its fish life to become distributed in the waters on other lands.

O'possums are not game animals under the law, only deer and squirrels are so designated, but o'possums are protected during the breeding season between the first day of March and the first day of October, Section 590 of the criminal Code of 1911. There is no law against o'possum hunting at night in open season, provided permission of land owner has been obtained.

It is not necessary for a warden or deputy warden to know of his own knowledge that the law has been violated, but he has only to swear "to the best of his knowledge and belief" and should do that to obtain warrants where he feels confident that he can produce convicting evidence.

The law permits one exception in the matter of land owners consent and that is "following hounds in the pursuit of foxes or deer," but the Court of Appeals has decided that this can be done only when the animal hunted has been jumped on land where permission was obtained.

When a warden or deputy warden accepts a commission from this department he is bound under Section 21 of the act of August 21st, 1911 to enforce the law, or lays himself liable as for a misdemeanor.

Fur trapping or the sale of furs are not interfered with

A game Hog is a hunter who is never satisfied, and wants all of the game for himself. He has but little respect for the laws or for the rights of his fellows in the field.

except that trapping may be considered hunting and the trapper required to pay a hunter's license and to have the consent of the land owner.

Under the law any person has a right to hunt without a license on his own land in any or several counties, even if the land owner is a non-resident. But the law does not contemplate that the friends, relatives or members of the immediate family of the land owner may exercise the privilege of hunting on his land without the payment of license, or without the consent of the actual owner of the land.

Wardens and deputy wardens are required to procure and pay for license to hunt as other people.

Where streams are land lines the consent of the owner of the land on either side gives the right only so far as the description set out in the deed indicates. The right or left bank or center of a stream may be designated as the boundary line. Of course these hair splitting matters are largely for the courts and juries to decide; what we say here is merely directory and for the guidance of wardens and deputies in bringing prosecution.

It is in my opinion not a violation of the Georgia game law, for a person legally in possession of game birds or animals, to have that game served for him by a restaurant, hotel or club, and the restaurant, hotel or club could legally accept pay for the *service*. But is illegal for any establishment or person to accept pay of any kind for any game bird or animal, or accept pay for a meal which includes any game bird or animal, or part thereof, which has been furnished by the establishment or person accepting pay for the meal of which the game or part thereof was a portion.

It is also illegal for a person to accept shells or any other article in exchange for game birds or animals.

IN CONCLUSION.

The commissioner appreciates the assistance given this Department by the true sportsmen of the State and he would be much gratified if they would organize county associations. He especially thanks the newspapers for the publicity they have given the new law and the operations of this Department. By so doing they have aided in preparing the public mind for the enforcement of laws and regulations that are absolutely necessary for the protection of the game birds, animals and fish and to preserve some of the important species from extinction.

CHAS. L. DAVIS,

State Game and Fish Commissioner.

Atlanta, Ga., January 1914.

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"The true measure of a people's greatness is their respect
for the law."

GEORGIA

Department of Game and Fish

BULLETIN NO. 5

LAWS OF GEORGIA

For the Protection of Game, Birds and Fish; and
other matter for the people of Georgia
as pertaining to the important
work of this Department.



By

CHARLES STERLING ARNOW
State Game and Fish Commissioner,
ATLANTA, GEORGIA.

1915

GEORGIA CHART

"OPEN SEASON."

| | |
|---|------------------------------------|
| Deer (Bucks only) | October 1st to December 1st |
| Cat Squirrel | August 1st to January 1st |
| O'possum | October 1st to March 1st |
| Quail, or Bob White Partridge | } . . . November 20th to March 1st |
| Doves | |
| Wild Turkey Gobblers | |
| Plovers | |
| Migratory Duck (Nat'l Law, Nov. 20th to Feb. 16th)— | |
| | Sept. 1st to April 20th |
| Snipe (Nat'l Law, Nov. 20th to Feb. 1st) . . . | Dec. 1st to May 1st |
| Woodcock, Summer or Wood Duck | Dec. 1st to Jan. 1st |

BAG LIMIT.

| | | |
|-----------------------------|-----------------|---------------|
| Quail | } | 25 in one day |
| Summer Duck | | |
| Woodcock | | |
| Plover | | |
| Doves | } | 40 in one day |
| Snipe | | |
| Deer (Buck only) | 3 in one season | |
| Turkey (Gobbler only) | 3 in one season | |
| Migratory Duck | 50 in one day | |

Absolute protection, for a period of years, is given Fox Squirrel, Female Deer, Fawns, Turkey Hens, Pheasants, Grouse and all Imported Game Birds and Animals.

LICENSE FEES—To Residents, \$1.00 for Home County.
 To Residents, \$3.00 for State.
 To Non-Residents, \$15.00 for State.

To the County and Deputy Wardens:

In the performance of the duties which are encumbent upon you as representatives of this Department, the Commissioner would make the following suggestions:

In your efforts to enforce the laws of this Department be always moderate, impartial and tactful.

Let it be known, to the people whom you serve, that it is your desire and determination to serve them in such a manner as to win their good will and respect.

Let your people know that it is your desire that they understand and respect the laws of this Department; that it is never a pleasure for you to prosecute, but when they refuse to respect the laws, you have no other course open to you. In such cases let your prosecutions be vigorous, provided, always, you have reasonable assurance of the guilt of the party accused.

When in doubt as to what to do communicate promptly with the Department.

Chas. S. Knowlton

State Game and Fish Commissioner.

December, 1915.

DEPARTMENT OF GAME AND FISH.

Chas. S. Arnow, Commissioner.

ATLANTA, GEORGIA, November, 1915.

To the People of Georgia:

Before beginning the work of compiling a new Bulletin, containing the laws of Georgia as applied to the protection of game and fish, I asked my friends; the Honorables Jesse E. Mercer, former Commissioner of Game and Fish of this State; James Henry Rice, Jr., former Commissioner of Game and Fish of the State of South Carolina, and now identified with the Biological Survey, and known as a United States Inspector of Birds, and E. Lee Worsham, State Entomologist, to contribute from the vast store of knowledge which they possessed on the subject, to the pages of this bulletin.

Those gentlemen responded promptly and so fully as to leave but little for the writer to say on the subject. I must commend to the people, in whose hands this little booklet falls, the full and complete manner in which the subject has been treated by the gentlemen named. The time spent in perusing every line will be more than repaid by the benefits obtained.

Having but just entered upon the duties of this office, I have no record behind me to which I may refer; I have no promises to make, except that I will do my duty as I see it, and make every effort to bring about in Georgia an even and impartial enforcement of the laws during my administration, protecting wild bird and animal life.

It is gratifying to know that the sentiment is rapidly growing in Georgia in favor of the protection of bird and wild animal life; that the few counties in Georgia where the records indicate that the laws have been but indifferently enforced is due, in my judgment, more to carelessness and thoughtlessness on the part of the people than to any real lawlessness. As they become convinced of the importance of these laws, and the benefits to be received from the enforcement of the same, they will gradually become more friendly.

The County Wardens will find, what now is difficult work, will then become a labor of love and pleasure.

I am particularly impressed with the importance of pro-

tecting the non-game and insectivorous birds. The very name of this Department indicates and stresses the fact that this Department is established and operated for the protection of game and fish. I certainly consider the strict enforcement of the laws protecting the non-game bird of just as much, if not more importance, than those protecting game birds.

Now that the boll weevil has entered Georgia, perhaps the result has been to impress more strongly upon the minds of the people of this State the importance of protecting bird life. That there may be no misunderstanding as to the birds that are most important as destroyers of the boll weevil, I will say, as I have in answer to frequent inquiries on the subject, that our quail, or partridge, cannot properly be classed as among the birds that destroy the boll weevil; they are ground feeders; while the birds that are most destructive of the boll weevil are those of a type that feed in their flight. I believe that the laws that we now have protecting the Bob White and the Dove are absolutely sufficient, and if generally and uniformly enforced those birds will gradually and continuously increase under the operation of the laws which we already have.

I regret that the Meadow Lark is included in the list of outlawed birds under the laws of this State. The farmers of the State are beginning to realize that this much-abused bird is, perhaps, one of their best friends and does more to destroy the insects that prey upon their crops than any other bird which abounds on their farms. I trust that future legislatures may see fit to give this bird the protection which it so richly deserves.

I trust that, also, the conflict which now exists in the open season and in the bag limit, as applied to the Migratory game Birds, may be reconciled so that the open season and bag limits as promulgated by the Federal Migratory Bird Law, and the laws of this State may be somewhat in harmony. It is my opinion that the bag limit, particularly on Migratory ducks, is far too large, and the open season too long under our State laws.

I believe that the laws of Georgia as they now stand, as applied to this Department, are good; it, however, is not my privilege to make or break laws, and it is my purpose to use every effort and facility at my command to enforce the laws, as we have them, and I appeal to the law-abiding citizens of

Georgia to give me their hearty, sympathetic co-operation in this work.

Assuring them that in doing so that they will receive from me, due credit and hearty and sincere thanks, I am,

Sincerely,

Chas. K. Knowlton

State Game and Fish Commissioner.



WASHINGTON, D. C., October 19, 1915.

"HON. CHAS. S. ARNOW,
State Game and Fish Commissioner,
Atlanta, Georgia.

"Dear Mr. Arnow:

"The privilege of contributing whatever may be possible to your successful administration of that important department of the State is a sincere pleasure. Under your alert and tactful direction, Georgia will, beyond peradventure, take high rank among other States in the important matter of wild life conservation.

"Writing from the standpoint of ex-commissioner, I realize that the education of the public mind on the subject of bird protection is at this time exceedingly important, if not paramount. A large number of leading business men and prominent public people have not even given the matter a thought; do not know that bird life in the State has been reduced to a mere fraction of its normal status, and that actual extermination threatens important species. They have not stopped to consider what the effect would be if all bird life were exterminated; they have been too busy with business affairs and personal interests and have left that matter to the gunners, mainly. While every gunner cannot be properly classed as an exterminator, most gunners contribute to the extermination or destruction of bird life. Many gunners, nearly all real sportsmen, under organization, become deeply interested in conservation and to their efforts is due largely the game protection laws of that and other States and the country, and on them very largely depends the successful enforcement of laws enacted on their initiative and through their co-operation.

"The insect plagues that have beset mankind since the days of the Pharaohs down to the present boll weevil crisis, which now threatens the State of Georgia, have no doubt been the result of wanton indifference and prodigality of the human race with reference to bird life, the natural enemy of insects that

cost many millions of dollars every crop year, in all agricultural countries, and all ages.

"As a newspaper man of some experience, I know that most of the papers of the State, if not practically all of them, will gladly co-operate with you and contribute, without price, their might (not mite) to the success of your efforts to impress the public with the importance of wild life protection. I am sure you realize the value of the friendly co-operation of the press. If you accomplish any good, they will proclaim it; if you fall into error, they will condemn it, and therein lies your greatest protection against a faulty administration.

"Any attempt to set out the immense economic value of song and insectivorous birds in dollars and cents is abortive of the results sought to be attained thereby. People must learn that they are Nature's great balance wheel. The value of the game birds, however, may be approximated and always the figures are surprising.

"It is axiomatic that, until a system is adopted that will vouchsafe a normal supply, conservation and protection must be the watchword. Restrictions and limitations as to bag limits and closed seasons must be provided for by legislatures and enforced by Wardens.

"The war on the natural enemies of bird life, the greatest of which is, in Georgia, the feral house cat, must be left with the interested gunners to prosecute. There, again, education is essential. The average man, woman, or child does not know and will be slow to believe that the innocent-looking Tom Cat is a great ravager of birds' nests and destroyer of young birds, squirrels and domestic fowl, preferring that diet to rats and mice. Next in importance to education is law enforcement."

"Yours for law enforcement in general and for game law enforcement in particular.

"Sincerely,

A handwritten signature in dark ink, appearing to read "J. M. Murrell". The signature is fluid and cursive, with a large, sweeping initial "J" and a long, horizontal flourish extending to the right.

WHY SHOULD BIRDS BE PROTECTED?

“Mr. Charles S. Arnow, Chief Game Warden of Georgia, has asked me to state why birds should be protected, as indicated by my long years of study and observation of the avian kingdom.

“It would be easy to say that birds as a rule are harmless, beautiful, many of them fine musicians, and finally, they add life and color to the world; a moving picture show wherein God reveals Himself for His glory and our good.

“Nor is it much harder to say that a large class of birds acts as the final check on the spread of harmful insects, thus saving the world’s vegetation from ruin; and another large class feeds so extensively on the seeds of noxious plants as to keep these plants well within limits; another class, the might raptures, or birds of prey, wage war on the rodents, or gnawing animals of the world, such as rats, mice, voles, rabbits, squirrels, gophers and marmots, and thereby keep this fecund class from over-running creation; still another class acts as scavengers, removing dead and decomposing bodies. The vultures do this on land, the gulls and their allies in the harbors and along the strand.

“But when these things are said they fail to convince, unless reasons are given and explanations, showing how such work is done. The subject is a vast one. On it thousands of books have been written, and there is still a great deal to say, as there always will be. Out of the store-house of nature fresh facts are being brought to light daily, and so ever new illustration is available.

Something of the Bird’s Frame.

“The bird differs from other animals in being covered with feathers. This is the sole difference. Reptiles and fish lay eggs, as do the Australian water mole, ornithorhyncus, and the echidna or ant-eater. Likewise other things, such as the bat (a mammal or suck-giving animal), the flying fish, the flying squirrel, the flying lemur, and so on, fly; but the bird alone is covered with feathers.

“However, birds are masters of the air. They pass from

land to land, cross oceans and continents, circle high mountains and traverse both desert and jungle; they have been found almost within sight of the two poles of the earth, and the widest sea reaches are frequented by birds, such as the Wandering Albatross.

"The sight is far keener than that of any other animal, and the digestion is rapid, due to rapid respiration and high body temperature, for the temperature of the bird's body is 112 degrees F., as against 98 degrees in the human body. The constant working of the wings makes a constant supply of food a necessity. Birds quickly lose flesh and die if food be lacking.

"The chief difference of structure between insect-eating birds and seed or grain eaters lies in the enlarged gullet or crop of seed-eating birds, which is entirely lacking in insect-eaters. The insect-eating birds, of which blue birds and robins are good examples, possess a gullet that is simply a hollow tube running down the first division of the stomach (proventriculus); the second division, the gizzard (or gigerium) is present in all birds. Here food receives its final grinding.

"When eating insects it is the habit of such birds to break off wings and legs, and sometimes the heads, the solid body being swallowed. When both gullet and proventriculus are packed to their capacity, there begins a spasmodic or involuntary contraction of the alimentary canal; the juice is squeezed out of the insects, taken up by the lacteal veins and carried to the various body tissues for nourishment. When no further juice exudes, the canal walls relax and the bird vomits forth undigested portions, just as a snake vomits out the horns, hoofs, hair and hide of an animal. This process consumes about one hour and a half.

"At the end of this time the bird's stomach is empty and feeding must at once begin. Hence in a long summer day a bird will fill its stomach about ten times; in shorter days from six to eight times. So that if one hundred average insects are consumed at a meal (this is below the real average), the total for a whole day is impressive, even for a single bird. For one hundred birds it becomes amazing, while for the thousands of birds in a single community it dazzles the mind to attempt to figure it out.

"This explanation will show what a vast amount of insect diet is required to feed the birds of a county, say, what an immense and incalculable amount would be required for the birds of a State like Georgia.

"A little more explanation will still further help to an understanding.

Insects.

"From the dawn of time man has battled with insects. The more he makes the more insects multiply, because their food supply becomes practically unlimited.

"Huxley, the celebrated British systematist, estimated that ten generations of the *Phylloxera vastata*, an aphid or plant louse, that destroys the grape vines of Europe, would equal in bulk five hundred million human beings or, roughly, the population of the Chinese empire. Fortunately for the world these pests feed on nothing but grape vines; hence when the supply of vines fails, they perish of starvation. The hop vine aphid (*Phorodon humuli*) has thirteen generations in a year and the number in the twelfth generation alone, if all came to maturity, would exceed ten sextillions; and if placed in line, ten to the inch, would pass out into space far beyond the most distant fixed star ever seen by the greatest telescope—a distance so vast that light would require twenty-five years to span it, even though traveling at the rate of 186,000 miles a second!

"While these are extreme cases, insects reproduce their kind at an extremely rapid rate.

"They are also so voracious that actual measure shows that the caterpillar of the American silkworm moth devours eighty-six thousand times its own weight in fifty-six days.

"History, even in modern times, abounds with instances where whole countries have been over-run and all living things devoured by hordes of insects. South Africa has been swept time and again by grasshoppers or locusts; so has Australia; so have the Phillipines and China; and in 1877 an army of small grasshoppers caused a famine in Kansas, entailing a loss of two hundred million dollars.

"It should be remembered that insects occur in four forms, namely, the egg (1), the larva or creeping form (2), the pupid or chrysalid (3), and the adult insect or imago (4).

"Small birds, such as the titmice, nut hatches, brown creeper and many of the warblers, feed largely on the eggs of insects and consume many thousands each day. Moreover, the largest caterpillars, when newly-hatched, are tiny and these are eaten in great numbers by the small birds.

"In the larval or caterpillar stage, insects are warred on by still more birds. Robins tear open the pupal cases of insects in winter, as do other birds, and destroy the pupal. When the insect has reached the adult stage, as butterfly, moth, beetle, or what not, another class of birds devours it. At every stage of an insect's life some bird makes direct war on it. Cuckoos eat the spiny caterpillars until the spines pierce the bird's stomach walls, the outside of which resembles a hair-brush.

"Ground-dwelling insects are attacked by several species of birds. Insects that live on the ground are eaten by thrushes and other ground-feeding birds. Insects that live in the ground are bored for by the meadow lark, the grackles and other birds. Insects that bore into trees are caught by woodpeckers. One of the woodpeckers, the well-known flicker or yellow-hammer, makes a specialty of eating ants. As high as five thousand ants have been found in a flicker's stomach. They were eaten at a single feed.

"The flycatchers take insects on wing, as do the swallow family, one of the most interesting of which is the Purple Martin, or 'Gourd Martin.'

"Small warblers and vireos search the leaves and branches for insects and their eggs.

"The Partridge appears to be the only bird that eats the potato beetle to any extent—at least in the South. The Rose-breasted Grosbeak eats potato bugs in the North.

"The gypsy moth in Massachusetts, with its cousin, the brown-tailed moth, crickets in Utah, alfalfa weevils in the Far West, the Colorado potato beetle, the two-lined chestnut borer, the pine bark beetle, the corn "budworm," and the boll weevil in cotton, are all present examples of the destructive march of insects. They are all equally striking examples of what happens when insect-eating birds are slaughtered.

"Man may upset the great balance of nature; but he cannot

readjust it. Nature's own forces alone suffice to maintain the metes and bounds.

"The annual damage to crops, forests, stored products and cattle in the United States by insects exceeds a billion dollars and is still rising.

"An equally important office is performed by hawks and owls in keeping rats and mice in check; for the rodent tribe is hardly less fecund than insects. A pair of rabbits will have thirteen million, seven hundred and eighteen thousand descendants in three years, according to the official estimate of the Australian government. Australian farmers have had to fight for their very existence, and in most of the commonwealth today it is only possible to raise crops by enclosing fields with woven wire fencing. There are but two bad hawks, the blue darter and the Cooper's hawk or "chicken hawk," and but one bad owl, the great horned owl. The rest are worth their weight in gold. Whenever hawks and owls are killed off rats and mice will make the farmer howl.

"The vultures perform an absolutely indispensable office in cleaning away carrion, for in dead bodies many of the worst flesh flies breed, insects that menace the human race with pestilence. Vultures can only carry germs of hog cholera when man himself is to blame for it by leaving carcasses where his hogs can feed on them or by feeding offal to his hogs, which will attract vultures. The free grass ranges of South Carolina and Georgia keep cholera alive and rampant.

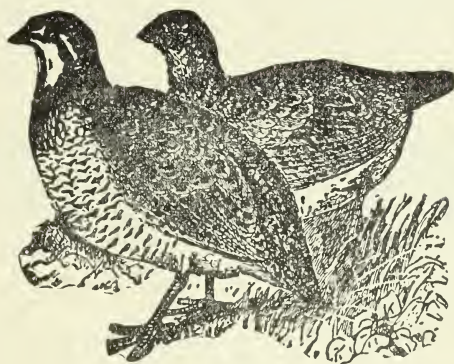
"So the sea birds clean the world's harbors, by eating dead fish, dead cats, dead dogs, and the thousand and one things that float seaward from all earth's rivers. These birds occasionally come inshore and help put down an insect outbreak. This happened in Utah (1848) and in Kansas (1877) and has happened in many other places.

"The seed-eating birds, as doves and sparrows, for example, destroy thousands of tons of weed seed each winter, reducing the labor of the farmer.

"In short, when it is calmly considered, birds everywhere and at all times perform a mighty work in nature, "doing the

King's work all the dim day long." One of the last words of Moses (Deut. 22:6 and 7), in the shadow of Mount Nebo, was to save the birds; in the first chapter of Genesis God says let them multiply: and who are that should know more than these?

James Henry Rice



BIRD PROTECTION.

"Georgia, like most other States, has permitted the wholesale slaughter of her birds, which could be one of our most valuable assets. When the Indian roamed over our mountains and plains; and when the white man first set foot on Georgia soil, there was a balance of nature; all the animals of the forests, the birds and insects, bore a certain balanced relation to each other with certain definite relations to plant life. The Indian was an enemy to wild life, but his deficiency in numbers and lack of civilized ideas of the white man preserved this balance of nature. The white man came, tilled the soil, selected certain plants for his own use and bringing others with him from his home across the sea.

"In order to succeed he had to destroy the insects, birds and animals, that interfered with his operations. This had a tendency to reduce certain forms and increase others. The insects increased in numbers because the white man made conditions more favorable by providing better food. Along with the foreign plants he brought the insects that preyed upon them, without bringing the natural enemies that held them in check on their native soil. The birds were the principal agencies in insect control, and as the white man increased the birds decreased. He provided food for the home and sport for the young American whose destructive tendencies were innate, and have increased at an alarming rate to this very date.

Under the management of the white man our insect enemies have grown steadily worse, and we have borrowed others from almost every country on the globe.

"The birds that aid mankind should be protected as a matter of sentiment for the service they render in song, and the service they render to agriculture through destruction of injurious insects and seeds of objectionable weeds and grasses, but the inclination to destroy wild life is too strongly fixed upon our people to obtain practical results from sentiment alone.

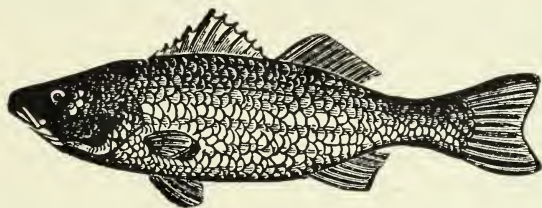
"The insects that prey upon the orchard, farm and garden crops, are costing us annually in Georgia at least twenty million dollars. In addition to this, there is a tremendous damage to forest and shade trees, live stock, and to man, as carriers of disease. Such diseases as Texas fever in cattle, malaria and yellow

fever, are spread only by insects, and insects play a large part in the dissemination of typhoid fever and tuberculosis.

"The birds would never be able, of course, to control the vast hordes of insects that annoy us and feed upon our crops, but if given proper protection they can render great service, and the laws for their protection should be rigidly enforced."

Ed Lee Crookham

State Entomologist.



GEORGIA GAME AND FISH LAWS. AS AMENDED

GAME.

SECTION 1. Be it enacted by the General Assembly of Georgia, That the department of game and fish be established, to be in charge of the game and fish commissioner, who shall be appointed by the governor, and the term of whose office shall be for a period of two years, beginning September 1, 1911, or until his successor is appointed and qualified. Any vacancy in the office by death or otherwise, shall be filled by appointment of the governor.

SEC. 2. Said commissioner shall receive a salary of not exceeding \$2,000.00 per annum, payable alone out of the fund hereinafter mentioned, and provided by virtue of this act, and he shall give his entire time to the service of the State as such game and fish commissioner.

SEC. 3. Said commissioner shall give bond in the sum of \$4,000 payable to the governor of the state, with two or more solvent securities, conditioned for the faithful performance of the duties of his office and a proper accounting of all moneys that may come into his hands as commissioner. He shall keep a public record correctly disclosing all moneys received and expended, the number of hunters' licenses, the number of wardens employed, with their names, and counties in which they serve. Also the name of each person prosecuted for violation of this act, the amount of fines imposed and collected in each case, and all such other information as may be necessary to the affairs of the department. The books and accounts of said commissioner shall be audited in the same way as other books and accounts of the other departments of the state are audited. He shall have a seal of office.

SEC. 4. It shall be the duty of said commissioner to see that the laws now or hereafter enacted for the protection, propagation and preservation of game animals, game birds and fish in this state are observed, and that violations of said laws are

promptly and speedily prosecuted. It shall be his duty to seize or cause to be seized game birds, or other animals and fish caught or killed at a time or in a manner, or which have been shipped, contrary to the provisions of this act. Such game or fish so seized shall be donated to some charitable institution in this state, except live game birds, animals or fish, which shall be liberated. He shall, with wardens and deputy wardens and ex-officio wardens, be authorized to serve all criminal processes for violations of this act which could be served by the sheriff and constables of this state.

SEC. 5. He shall appoint game and fish wardens and deputy wardens in each county of this state, such appointees to hold their office for the term of two years unless sooner removed for cause by the commissioner. Such wardens and deputy wardens shall enforce all the provisions of this act, and all other laws in reference to game and fish in their respective counties. Such wardens and deputy wardens shall receive three dollars per day while acting under the special directions of the commissioner with reference to the discharge of their duties, which sum shall be paid out of the game protection fund provided for by this act. Each county warden shall receive one-fourth of all fines and forfeitures and penalties collected in the county in which he holds office imposed for violation of any of the game and fish laws of this state where he does not furnish the evidence necessary to convict. If he does arrest, or cause the arrest, and furnish the evidence necessary to convict, then he shall have three-fourths of such fines, forfeitures and penalties. Any person arresting or causing to be arrested offenders under any of the game and fish laws of this state and furnishing the evidence necessary to convict such offenders, shall receive one-half of fines, forfeitures and penalties imposed and collected from such offenders and legal fees paid to constables. The remaining portion of fines imposed and collected shall be forwarded to the state game commissioner and by him turned into the treasury to the credit of the game protection fund. The county warden shall receive twenty-five cents for each county license issued by him, one dollar for each state license and three dollars for each non-resident license issued by him.

All county wardens shall keep a record in the office of the clerk of the court in their respective counties, which record shall be open to the public, giving names of all parties holding resident, county and state license and non-resident state license issued by him. This record shall also show the names, offenses and fines imposed on all persons convicted for a violation of the fish or game laws of this state in the county of his jurisdiction.

SEC. 6. Any resident of the state may procure a license to hunt in his resident county upon the payment of the sum of

one dollar. License to such resident shall be issued authorizing him to hunt throughout the state upon the payment of three dollars. Licenses shall be issued to non-residents of the state upon the payment of the sum of fifteen dollars, which shall authorize such non-resident to hunt throughout the state. All licenses shall bear the date of issuance if the license is issued in the open season, and shall authorize the person named therein to hunt during the then open season, and if issued in the closed season shall authorize said person to hunt during the next succeeding open season. Such licenses shall be signed by the commissioner and countersigned by the game warden of the county in which the license is issued and numbered. It shall contain the residence, age, sex and postoffice address of the person to whom issued; also shall state the race, approximate height and weight, and the color of the applicant's hair and eyes. The license fees, less the warden's fees, shall be remitted by the warden to the commissioner not later than the first of the following month. A person may hunt or fish in the open season in his own militia district or on his own land without a license. Tenants and their families by and with permission of the owner of the land shall be permitted to hunt and fish on the lands leased and rented by them without a license. All licenses shall terminate on the twentieth day of February following the date of issuance. (License will be recognized as effective until March 1st.)

SEC. 7. No person shall hunt or fish upon the lands of another with or without license without first having obtained permission from such land owner. Any person violating this section is hereby declared to be guilty of a misdemeanor, and shall be punished as prescribed in section twelve of this act.

SEC. 8. All moneys received by the commissioner arising under this act shall constitute a fund known as the game protection fund, and shall be devoted to the payment of the salary of the commissioner, his necessary incidental expenses and the salary of the game wardens and deputy wardens when acting under the special instructions from him. Such salaries and expenses shall not be a charge upon the state funds, nor payable out of any other fund than the game protection fund. No voucher for said salaries or expenses shall be paid unless there shall be at the time sufficient money to the credit of said fund in the treasury. If there should be any money in the treasury at the end of the year to the credit of the game protection fund the amount so remaining shall become a part of the public school fund of the state.

SEC. 9. The clerk of each court in which prosecutions may be instituted for violations of this act shall promptly report to the commissioner the result of said trial and the amount of fines, forfeitures and penalties collected, which said sum shall, after

the deductions mentioned in section 5 of this act, be forwarded to the game commissioner and be placed to the credit of the game protection fund.

SEC. 10. It shall be the duty of the various judges of the superior courts to specially mention in their charges to their respective grand juries the provisions of this act.

SEC. 11. The following shall be deemed game birds and animals: Quails, commonly known as Bob White Partridges; doves, snipe, woodcocks and curlews, wild turkeys, grouse, pheasant, deer, squirrels, duck and marsh hens. Provided, that nothing herein contained shall prohibit the hunting or sale of migratory ducks, provided that no one person shall kill more than fifty ducks in any one day, and the season for shooting migratory ducks is between September 1st and April 20th.

SEC. 12. Any person who shall purchase or sell, or export for sale or offer to sell any of the game birds or animals named in section 11 of this act shall be guilty of a misdemeanor, and upon conviction punished by a fine of not less than ten nor more than one hundred dollars, and all costs for each offense, or to work on the public works not less than five nor more than thirty days, and any one or more of these punishments may be ordered in the discretion of the judge.

SEC. 13. Any person who shall transport or ship, or offer to transport or ship, any of the game birds or animals mentioned in section 11 of this act, without the limits of the state, or from the county in which the game was killed into another county in this state, or who shall sell or offer for sale, or purchase or offer to purchase any part of the plumage, skin or body of any of the game birds or animals mentioned in section 11 or who shall take or wilfully destroy the nests or eggs of any of said birds, shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by section 12 of this act; provided, it shall be lawful for any person duly authorized to hunt to personally transport, openly, the game actually killed by him from the county in which it was killed to any county of this state, or without the state, but the person killing said game must in each instance accompany the game so killed. Each person hunting shall carry with him his license and exhibit the same promptly upon request of any game warden or deputy warden or ex-officio warden.

SEC. 14. Any person who shall hunt, kill or destroy by any means whatsoever or who is in possession of the following named birds or animals, except between the following dates, shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed in section 12 of this act: Quail, commonly known as Bob White Partridges; doves, wild turkey gobblers

and plovers from November 20th to March 1st following; snipe from December 1st to May 1st following; woodcock, summer or wood duck, from December 1st to January 1st following; deer, October 1st to December 1st; cat squirrels from August 1st to January 1st following of each year. It shall be unlawful to kill any fox squirrels prior to January 1, 1918. It shall be unlawful at any time of the year to scatter upon the lands of any person, whether it be the owner of the land or not, any corn, wheat or other bait for the purpose of drawing to the lands where such bait is scattered or placed game birds or doves for the purpose of shooting or allowing to be shot at, or killing such game birds or doves at or near such lands so baited, and it shall be unlawful for any person to shoot at or kill any dove or other game bird at, upon, over or near any land baited or baited field or land, and for a violation of this provision such person or persons shall be guilty of a misdemeanor and punished as prescribed in section 1065 of the criminal code.

SEC. 15. During the open season no person shall be authorized to kill more than three male deer, nor more than three wild turkey gobblers during any one season. Nor more than twenty-five game birds of any one species in any one day, except snipe or doves, of which one person may kill forty in one day. Any person violating this section shall be guilty of a misdemeanor and punished as prescribed in section 12 of this act.

SEC. 16. Any person who shall catch or kill any wild pheasant, grouse, wild doe or fawn, or wild turkey hens, or any imported game birds or game animals prior to December 1, 1916, shall be guilty of a misdemeanor, and upon conviction, punished as prescribed in section 12 of this act.

SEC. 17. Any person who shall at any time kill or capture or wound any game bird or animal by the use of pitfall, deadfall, snare, trap, pen or other device, or by the use of any poison, drug or explosive, or who shall hunt, catch, or kill any game birds or animals at night, shall be guilty of a misdemeanor, and upon conviction, punished as prescribed in section 12 of this act.

SEC. 18. Any person who shall hunt without first obtaining a license, except on his own land, or in his own militia district, or who lends or transfers his license to another, or who shall hunt upon the lands of another without first having obtained his consent to do so, except persons following hounds in pursuit of foxes or deer, or any other animals not mentioned in this act, shall be guilty of a misdemeanor, and upon conviction, punished as prescribed in section 12 of this act.

SEC. 19. Any common carrier who shall ship or transfer or carry any game bird or animal without the limits of this state shall be guilty of a misdemeanor, and upon conviction, punished as prescribed in section 12 of this act; provided, the terms

of this section shall not apply to game in the personal possession of the party killing the same, provided such party has obtained a license then of force.

SEC. 20. Any agent or employee of a common carrier who shall receive any game birds or animals for shipment without the state, or from one county to another within this state, shall be guilty of a misdemeanor, and upon conviction, punished as prescribed in section 12 of this act.

SEC. 21. Any warden, deputy warden or ex-officio warden who shall fail to perform any act or duty placed upon him by this act, shall be guilty of a misdemeanor, and upon conviction, shall be punished as prescribed in section 12 of this act.

SEC. 22. All moneys received by the commissioner arising from the provisions of this act shall be deposited in the state treasury to the credit of the game protection fund, and said fund shall not be drawn upon or used for any purpose save such as is designated in this act.

SEC. 23. It shall be unlawful for any person in this state to kill, catch or have in his possession any wild non-game bird, or to take or destroy the nest or eggs of any non-game bird or to have the same in his or her possession. Such persons violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction, punished as is prescribed in section 12 of this act; provided this section shall not apply to the following birds: English sparrows, owls, hawks, eagles, crows, rice birds and field or meadow lark; except persons may ship into this state birds mounted for millinery.

SEC. 24. The game commissioner and wardens shall see that the laws pertaining to fish are rigidly enforced.

SEC. 25. All laws and parts of laws in conflict with this Act are hereby repealed.

See 590 Criminal Code, 1911. If any person shall hunt or catch o'possum between the first day of March and the first day of October of each year, he shall be guilty of a misdemeanor.

FISH LAWS.

Criminal Code, 1911.

SEC. 600. No person shall inhabit, occupy, or reside in any vessel, ark or flat on any river of this State, which shall not be engaged in the lawful commerce of said river in the carriage of goods or produce to or from market unless owned by the proprietors of the shores, or their lessees; provided, nothing in this section shall be construed to prevent the owners of the land on said rivers, or their lessees, from taking fish in the river opposite their banks; but no seine shall be permitted to be used in said river either by such owners or lessees, from twelve o'clock Saturday night to twelve o'clock Sunday night; and provided also, that every lease or license to fish shall be recorded within ten days after the granting thereof in the clerk's office of the superior court of the county where the land lies. A violation of any of the foregoing provisions shall be punished as for a misdemeanor.

SEC. 601. No person, other than the proprietors of the shores and banks of salt creeks, estuaries, and rivers (or such person as shall be by such proprietor authorized), shall take fish, or attempt to do so, with any line, net, or contrivance, on any estuary, or river, where an artificial shell-reef, beds or fishing grounds have been constructed within one hundred yards thereof. Nor shall one proprietor construct or use such places opposite the shore or bank of another proprietor beyond the center of creek, estuary, or river opposite his own shore or bank. Any person violating the provisions of this section shall be guilty of a misdemeanor.

SEC. 602. If any person shall put any trap, wire, trot-line, set-line, or other like contrivances, for catching fish for sale, in any of the lakes or other waters of the State, upon or within the lands of another, without the *written* consent of the owner thereof, he shall be guilty of a misdemeanor.

SEC. 603. If any person shall place in the waters of any river or creek, or any fresh water drain any dam, trap, net, seine, or other device for catching fish, unless the main channel of such stream is left open for a space of ten feet for rivers and one-third of the channel of creek, at low-water mark, unobstructed for the free passage of fish up or down such stream, he shall be guilty of a misdemeanor, and the sheriff of the county, upon complaint of persons in the territory of such obstruction

shall have authority to break open any dam, net, or other obstruction that may be placed in such waters in violation of this section. This section does not apply to dams for milling or manufacturing purposes. The words "low-water mark" shall not apply to fresh water drains.

SEC. 604. If any person shall use firearms, dynamite, or other explosive or destructive substances for the purpose of killing fish, he shall be guilty of a misdemeanor.

SEC. 605. If any person shall use nets, seines, or other contrivances covering, extending to, or obstructing more than one-half of the stream, for catching or taking shad in any of the streams of this state, he shall be guilty of a misdemeanor.

SEC. 606. There shall be a "closed time" for the rivers in which shad are caught, of forty-eight hours: commencing at sunrise on Saturday morning of each week, and ending at sunrise on Monday morning of the next week during which "closed time" no shad or other migratory fish shall be caught by nets, wires, pounds, or any other means whatever; neither shall such nets, wires, pounds, or other apparatus be left in said rivers during said "closed time." The meshes of nets or other apparatus for catching said fish shall not be less than five inches.

SEC. 607. No shad shall be taken, except between the first day of January and the twentieth day of April of each year except for spawning purposes, to carry out the provisions of the law for propagating fish.

SEC. 608. A violation of either of the two preceding sections shall be a misdemeanor.

SEC. 609. If any person shall seine or net for fish in any of the streams in which mountain trout exist, or be placed, he shall be guilty of a misdemeanor.

POISONING FISH PROHIBITED.

SEC. 611. Any person who shall directly by himself, or by aiding or abetting others, put walnut hulls, walnut leaves, devil shoestring, or any poisonous substances whatever of any kind in any waters, either running streams or standing waters, such as lakes, ponds, or eddy places in any river or creek within the limits of this State, which will be likely to drive away or poison the fish therein by contaminating said waters, shall be guilty of a misdemeanor.

CLOSED PERIOD FOR FISHING EXCEPT WITH HOOK AND LINE.

SEC. 612. If any person shall catch or take any fish with seine, net, gig, or spear, or like device from any of the waters of this State, between the first day of February and the first day of

July in each year, except with hook and line, he shall be guilty of a misdemeanor.

SEC. 613. In the case of shad the above prohibition as to dates shall apply only between the 15th of April and the 1st of July.

SEC. 614. Whoever shall catch any shad or other fish, or use for the purpose of catching shad or other fish, in any of the waters of this State, any net or nets known as drift-nets, between the hours commencing at sundown on Thursday of each week and ending at sunrise on Monday morning of the next week, shall be guilty of a misdemeanor.

Above repealed by act of November 27, 1915, only as applying to the salt waters of this State.

SALT WATER FISH LAWS

“An Act for the protection and propagation of fish, shrimp, prawn, oysters, turtles, terrapins and other crustaceans in this State; providing how the same may be taken and caught from the salt waters of this State; providing for a license for the taking and catching of the same; the appointment of special inspectors to enforce the provisions of this Act, prescribing their duties, and to provide penalties for a violation of this Act, and for other purposes.”

Section 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by the authority of the same, That from and after the passage of this Act, all of the beds of all salt waters, bays, rivers, estuaries and shores of the sea, and the waters overlying the same, within this State and not already conveyed by special grant or compact, according to law, shall continue and remain the property of the State of Georgia, and subject to the special provisions of this Act may be used in common by the people of this State for the purpose of fishing, taking and catching oysters, shrimp, prawn, turtles, terrapins and other shell fish, and no grant shall hereafter be issued by the county authorities in any county in this State to pass any estate, title or interest of the State in or to any natural oyster bed, rock, or shoal, whether the said bed, rock or shoal shall be bare or not, except in compliance with the provisions of this Act.

Sec. 2. Be it further enacted by the authority aforesaid, That after the passage of this Act, so far as the authority of the said State shall extend, oysters, clams and other fish, crabs, shrimp, prawn, turtles and terrapins, and other crustaceans, found in the salt waters of this State, suitable for food, shall be considered fish, and it shall be the duty of the Department of

Game and Fish, as established by the Act of August 21, 1911, to enforce the laws of the State of Georgia for the protection of the same.

Sec. 3. Be it further enacted by the authority aforesaid, That after the passage of this Act the said Game and Fish Commissioner shall have authority to employ not exceeding three inspectors to carry into effect the provisions of the laws of this State for the protection of game and fish; said inspectors shall receive salaries not exceeding one hundred dollars (\$100.00) per month, as may be ordered by the Commissioner. They shall take oath and give bond in the sum of one thousand dollars (\$1,000.00) for the faithful performance of their duties. These inspectors shall have authority to carry out the provisions of this Act and to arrest persons violating the provisions thereof, or any of the laws of said State covering the protection of game and fish.

Sec. 4. Be it further enacted by the authority aforesaid, That the State Game and Fish Commissioner shall have authority to purchase or lease launches for the use of the inspectors, while in active service of the Department, and for carrying out the provisions of this Act. Said State Game and Fish Commissioner is hereby empowered and directed to employ such other help as he may deem necessary in carrying out the provisions of this Act and the other laws of the State for the protection of game and fish. Compensation for such service to be paid out of funds derived for the protection of game and fish.

Sec. 5. Be it further enacted, That all boats and vessels engaged in taking oysters for purpose of sale from any of the beds in this State, whether the same be private or public beds, shall, before beginning operation, first secure a license from the said Commissioner of Game and Fish, and for this purpose the owner, captain or agent of said vessel must present in writing an application setting forth the name and description of said vessel, the name and post office address of the owner and captain, the number of the crew, and such further data as the Commissioner shall deem necessary, and thereupon said Commissioner shall register said vessel and issue necessary license, upon payment of the cost thereof. All licenses shall be graduated according to the oyster-carrying capacity of each boat or vessel, and shall be as follows:

A license tax of one dollar per ton or fraction of a ton is hereby levied on each such vessel or boat of five tons or over net register. On all other such boats propelled by sail or power, a license tax of five dollars for each boat is hereby levied, and on all such skiffs, batteaux, and other boats not propelled by sail or power, a license tax of three dollars is hereby levied.

License shall be issued by the Commissioner on blanks provided for that purpose.

The owner of any such vessel desiring to catch or take oysters under the provisions of this Act shall first obtain from the Commissioner of Game and Fish a license for said boat, said license shall have effect for twelve months from the first day of the month in which it is issued, and no vessels shall be used for catching and fishing for oysters in the waters of this State, unless so licensed. Each license shall state the name of the applicant, the name of the vessel, and the license, under the provisions of this Act, shall not be used except upon vessel so mentioned in said license. Said Commissioner shall have the right to use and expend the moneys received, under the provisions of this Act, for carrying out the provisions of the Act so far as such expenditure may be necessary, and the residue, if any, shall, from time to time, be paid into the Treasury of the State, to be applied as other surplus funds in the Game and Fish Department under existing laws.

Sec. 6. Be it further enacted by the authority aforesaid, That it shall be unlawful for any person, except owners and their authorized agents and employees, to take, catch, or tong oysters, from any of the private or public beds of this State between sunset and sun-rise. Any person violating the provisions of this section shall be guilty of a misdemeanor.

Sec. 7. Be it further enacted by the authority aforesaid, That from and after the passage of this Act, it shall be unlawful to take or catch any fish, within the definition of that term as in this Act expressed, from any of the salt waters of this State, by the use of any device whatever between the first day of May and the first day of August of each year.

Provided, that the foregoing penal provisions shall not be construed to prohibit the taking, by any person, of such fish, with a cast net or hook and line, nor shall it apply to or prohibit the use of hand-drawn seines not more than thirty feet in length, when used in catching prawn and shrimp for bait, or other fish to be sold in local retail trade by the persons taking the same, or to be used for the personal consumption of the fisherman. Nor shall the same apply to the taking of crabs.

Sec. 8. It shall be unlawful for any person to catch or take any of the above mentioned fish for commercial purposes from the salt waters of this State, within the time above mentioned, otherwise, without first obtaining a license from the Commissioner of Game and Fish, as hereinafter provided. Any person desiring to catch or take any such fish from the salt waters of this State, except in the manner as aforesaid shall first obtain

from the Commissioner of Game and Fish a license therefor; said license shall have effect for twelve months from the first day of the month in which it is issued. The fee for such license shall be one dollar per ton or fraction of a ton on each boat or vessel of five tons or over net register. On all boats propelled by sail or power, the same being under five tons net register, a license tax of five dollars for each such boat is hereby levied, and on all such skiffs, batteaux and other boats not propelled by sail or power a license tax of three dollars on all such boats is hereby levied.

Sec. 9. Be it further enacted by the authority aforesaid, That if any person not a citizen of this State shall take or catch any oysters, fish, shrimp, prawn, turtle, terrapin or other crustacean from the salt waters of this State in any manner whatsoever, for the purpose of selling, that he shall be guilty of a misdemeanor.

Sec. 10. Be it further enacted by the authority aforesaid, That the expense of salaries of the inspectors, or any other expense authorized to be incurred, shall be paid out of the fund arising from the operation of the game and fish laws of this State, and that any residue, if any, shall be turned into the State Treasury from time to time to be applied as other surplus funds in the Game and Fish Department under existing laws. The Commissioner of Game and Fish shall have authority to provide such rules and regulations as may be needful in carrying into effect the game and fish laws of this State, provided, that same be not inconsistent with the laws of this State. The robbing or breaking up of turtle and of terrapin nests, or the destroying of the eggs of the same, or the turning over of turtles and allowing them to remain so turned is forbidden, and any person guilty of the same shall be punished as for a misdemeanor.

Sec. 11. Be it further enacted by the authority aforesaid, That any person violating any of the provisions of this Act shall be guilty of a misdemeanor.

Sec. 12. Be it further enacted by the authority aforesaid, That all laws and parts of laws in conflict with this Act, and all laws prohibiting the taking of salt water fish at any other season of the year than as herein expressed be and the same are hereby repealed.

Approved November 27, 1915.

SAW DUST FLOATING INTO STREAMS, PROHIBITED.

An Act to prohibit the floating of saw dust into any of the streams of this State, and for other purposes.

SECTION 1. Be it enacted by the General Assembly of the

State of Georgia, and it is hereby enacted by authority of the same, That from and after the passage of this Act, it shall be unlawful to float saw dust into any of the streams of this State.

SEC. 2. Be it further enacted, That any person or persons or corporations violating the provisions of Section one of this Act shall be punished as for a misdemeanor.

SEC. 3. Be it further enacted, That this Act shall not go into effect in any county until it has been recommended by two grand juries of the county.

SEC. 4. Be it further enacted, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

Approved August 19th, 1911.

POISONING AND DYNAMITING FISH.

Probably the ugliest crime connected with the destruction of game and fish, and one that is devoid of the semblance of sport, is the practice of poisoning the waters, or dynamiting the ponds and streams, destroying all life for the sake of a day's supply of fish. For a mess of flesh many average citizens have been thoughtless enough to at least aid and abet in this inexcusable practice. It is the fixed policy of this Department to relentlessly hunt down and vigorously prosecute every person participating in such infractions of the law. The Department should have the assistance and encouragement of every good citizen in checking this tremendous draft on the supply of fish; and to restore to a normal condition the fishing waters, an abundant supply of fish in every stream of the State.

DOVE BAITING.

Next to dynamiting fish is the barbarous practice of baiting doves and slaughtering them by the thousands. Certainly it is great sport, but the morbid fascination leads to the destruction of large numbers, often five and six thousand in a single morning in one small field, a wanton destruction of the finest game birds. But let us hope that this has become a reminiscence, that it has passed into history to be remembered by future generations as a species of barbarism. It must not be attempted in Georgia now, and every warden or deputy warden who fails to do his duty in bringing into court those who infract this wholesome provision of the law will surely receive the censure of this office; and every good citizen who fails to report such violations should be censured by a quickened conscience.

A CAT TELLS HIS OWN STORY.

We are a numerous and valorous race and, true to the traditions of our ancestors, we are tireless hunters of birds. As we

are considered a necessity, most farms support one and generally a family of our kind, to say nothing of the wild individuals who roam the woods without homes. It is admitted that by our cunning methods of approach we are able to secure an average of fifty birds apiece each year. Not so hard a task either, when you consider that many of our prizes are either the young and tender birds which are hardly able to fly, and, in fact, we are frequently able to secure them from the nest when the mother is away after food. Were we able to find the nests of the mother birds we kill, we might have more delicate morsels which otherwise die of starvation.

But whether or not we are credited with all we do, it is a glorious record—nearly two million birds in Michigan alone each year, and at least one hundred million in the United States. Those who know tell us that there is no other agency which destroys so many birds.

Now these birds are a murderous lot. The purple martin I had for breakfast ate two thousand mosquitoes last evening. And do you know, I watched that scarlet tanager I had for lunch eighteen minutes and during that time he ate four hundred and thirty gypsy moth caterpillars. The rose-breasted grosbeak I caught yesterday in the potato patch was so busy eating potato bugs that I had him before he knew I was near.

It is not all fun, however. The goldfinch, for example, is fine eating, but I always find him feeding upon the seeds of the Canada thistle, and thistle spines are not nice to get into one's paw.

They tell me that when the farmer realizes that the birds I kill have been saving him hundreds of dollars in the crops saved from weeds and insects, he will get rid of me, but so far I have been able to make him believe by the killing of a few rats and mice that I am worth keeping. I have my suspicions, however, that my date of favor is nearly past for he is learning that the hawks and owls which he now considers his enemies, because they occasionally catch his chickens, are really catching more rats and mice than I am. He will soon learn to know and destroy the Cooper and Sharp-skinned Hawk and the Great Horned Owl, which do most of the chicken catching, and spare the others to catch his rats and mice.

There is also an activity among city folks of which I am fearful. I was visiting my friend Alice the other day, when the Doctor came to see her. He said she had the scarlet fever. When he saw me he was nearly frantic and sent some one to the 'phone. You see he is a member of the Board of Health, and they are trying to make a record for a healthy city. He said it was almost certain that I would carry the disease into the family where I live and went on to say that most all of what he called

“Germ” diseases are carried by cats. He also said that about nine out of ten of my kind are more or less infected with tuberculosis, and something about the danger of cats eating rats which have the bubonic plague, but before the story was finished a man come with a wagon marked “Poundmaster” and took me away. I am afraid that when people learn these things we shall all lose our places as household pets for the children to fondle.

Owing to the unpleasant notoriety brought to our race by the Audubon and Tuberculosis societies and the Board of Health, I see no chance for us unless our owners make provision for our safety in a license system the same as they do for our dog neighbors. It would be hard not to be allowed to catch birds but we would be protected from our diseased, mangy brothers and sisters, and really it is not so pleasant to live in a family which does not care enough for one to pay a license fee. Such people even forget to feed us part of the time.

A CAT.

LICENSE REQUIRED AND CONSENT NECESSARY TO HUNT ANY KIND OR CHARACTER OF GAME.

The Court of Appeals decided the generally debated question as to whether license and consent are necessary to hunt animals not classified as game animals. In the case of *Blassingame vs. State* from the City Court of Madison, the Court says:

“1. The primary purpose of the Act of 1911 (Acts of 1911, p. 137), is the preservation of the game specified in the act. As incidental to that purpose Section 7 of that act makes it unlawful for any person to hunt not only the game enumerated in the act, but any game or other animals not enumerated, either with or without a license, upon the land of another without first obtaining the consent of the land owner.” * * * * *
“This court holds that no kind or character of game, whether designated by the act or not, can be hunted without complying with the requirements as to license, and without first obtaining the permission of the land owner.” * * * * * “The other exception is ‘persons following hounds in pursuit of foxes or deer, or any other animal not mentioned in this Act’; and this simply means that where a hunter is lawfully hunting upon the lands of another with permission, and, in so hunting, the hounds find, upon the lands upon which he has permission to hunt, foxes, deer, or any other animal not mentioned in this act, and the game is pursued by the hounds, he may follow the hounds in pursuit on to land upon which he has no permission to hunt.” * * * *

IN CONCLUSION.

The Commissioner appreciates the assistance given this Department by the sportsmen of the State, and he also appreciates most highly the space that is given by the press of the State in bringing prominently before the people the laws of this Department, and the importance of the enforcement of the same, in addition to this they have helped beyond estimate the laws for the protection of bird life in Georgia, particularly as applied to the agricultural interest of the State, and they have also performed the great work of educating the people in the matter of conservation of the game birds and animals of Georgia.

The Commissioner asks that all law-abiding citizens of Georgia should co-operate with the county and deputy wardens of this Department in their respective counties in an effort to bring about a uniform enforcement of the laws of this Department.


Sincerely,

A handwritten signature in cursive script, reading "Chas. S. Knowlton". The signature is written in dark ink and is positioned above the printed name of the Commissioner.

State Game and Fish Commissioner.



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