

APRIL 1931.

VOL. 3

MONTANA

NO. 11

# WILD LIFE



PHOTO BY PAUL J. FAIR

Montana  
Mountain  
Sheep-

OFFICIAL PUBLICATION  
MONTANA STATE FISH & GAME DEPT.

# The Sportsman's License

*A Document of Honor*



Senator Tower

**M**ONTANA, with sportsmen working in complete accord with the State Fish and Game Department, has established another national precedent under authority given by the 22nd legislative assembly by providing the opportunity to exponents of wild life conservation to purchase a \$5 license to be known as "The Sportsman's License." With funds of the department at the lowest point in years following increased demands, the legislature which has just concluded its 60-day session, passed the increased resident license measure. The fishing and game bird license is left at \$2, the big game license with deer and elk tags attached may be purchased at \$1 after the \$2 license is secured, and The Sportsman's License will be available at \$5. Possession of The Sportsman's License indicates that the holder has contributed additional funds in order that the conservation program of the State Commission may proceed without handicap. Senator Ralph R. Tower of Lake county is the author of The Sportsman's License plan. Senator Tower has been a member of the senate four terms and is serving his fourth term as a member of the fish and game committee of the upper body. He is an ardent exponent of wild life conservation. He sponsored the plan to establish commercial whitefish fishing in Flathead lake. He is a member of the Polson Rod and Gun club. Senator Tower was born in Iowa, came to Montana in 1909, and in 1910 drew No. 19 in the opening of the Flathead reservation and located his farm 4½ miles northwest of Polson, where he specializes in the growing of grain and stock. The response of sportsmen of the state to this plan evolved by Senator Tower will have much to do with producing more funds in order that forest, streams and fields may be stocked to keep pace with the ever increasing inroads of civilization.





# MONTANA WILD LIFE

The Official Publication of The State Fish and Game Commission

VOL. III

HELENA, MONTANA, APRIL, 1931

No. 11

## New Fish and Game Legislation

By Floyd L. Smith, Editor of Montana Wild Life.



MONTANA'S 22nd legislative session has passed into history, and regardless of diversified opinions of its achievements coming from many parts of the state, it may be well said that it passed constructive fish and game legislation that gives promise of aiding in the great campaign of conservation of the wild life of the state which has become the playground of a nation. Outstanding measures passed by the recent assembly, all of which have been signed by the governor, are those providing an adjustment of the resident hunting and fishing fee, strengthening the law regarding the manner of taking fish and game, creating two game preserves, equalizing the salary of the state fish and game warden and forbidding the ruthless and wanton slaughter of game animals for hides, heads, horns and teeth.

In summarizing the situation, it may be said that some 600 bills were introduced in both house and senate, while about 200 were passed and became laws; of these bills 26 had to do with fish and game matters. Of fish and game bills introduced, 10 were given the approval of the department and eight of the 10 were passed by a legislature that realizes keenly the value of Montana's fish and game and the necessity for its conservation.

The following fish and game bills were passed by both houses, signed by the governor, and have become laws:

H. B. 50—By Dougherty—Changing open season on deer and elk.

H. B. 69—By Spangler of Mineral—Establishing Little St. Joe Game Preserve.

H. B. 136—By Fish and Game Committee—Correcting the law regarding possession of fish and game.

H. B. 269—By Fish and Game Committee—Adjusting resident hunting and fishing fees.

H. B. 270—By Fish and Game Committee—Manner for taking fish and game.

H. B. 271—By Fish and Game Committee—Adjusting the salary of the State Fish and Game Warden.

S. B. 74—By Fish and Game Committee—To protect game animals from wanton, ruthless and useless destruction and mutilation for heads, hides, antlers, horns and teeth.

Sub. S. B. 91—Fur dealers' bill regarding tagging beaver skins from other states.

### Legislative Leaders



F. A. Hazelbaker  
Lieutenant Governor



W. R. Flachsenhar  
Speaker of House

S. B. 105—By Fish and Game Committee—Creating the Little Snowy Mountain game preserve in Musselshell county.

House Bill 50 by Ralph Dougherty of Ravalli county, was introduced with the intention of changing the open season on elk in a portion of that territory and when it emerged from heavy seas in conference committees and amendments from the floor of both senate and house, the law was considerably altered. In order to place the section before members of the legislature it was necessary likewise to print the entire section regarding the deer season and that brought further amendments.

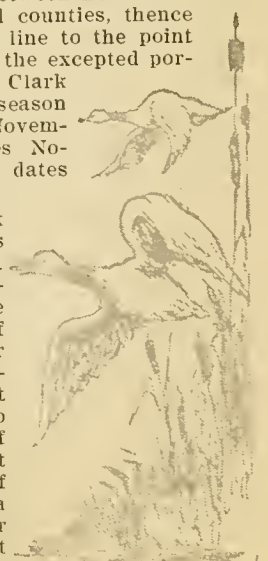
When the bill became a law it specified that the open season for elk shall be Oct. 15 to Nov. 15, both dates inclusive, providing that in all that portion of Ravalli county drained by the west fork of the Bitter Root river and in all that portion of Ravalli county lying west of the Bitter Root river and north of the confluence of the east and west forks of the Bitter Root river, the open season shall start September 20 and close October 20. The law provides, however, that the commission may shorten the season.

Another change in the law provides that during the open season on elk, one of either sex may be killed in that portion of Mineral county lying south of the Missoula river and east of the Little St. Joe game preserve created by the last session.

The elk law provides that the following counties are closed and constitute an elk preserve: Deer Lodge, Fergus, Chouteau, Valley, Golden Valley, Daniels, Roosevelt, Fallon, Wibaux, Richland, Granite, Phillips, Stillwater, Sanders, Silver Bow, Broadwater, Musselshell, Hill, Sheridan, Judith Basin, McCone, Big Horn, Lincoln, Rosebud, Mineral, Beaverhead, Powder River, Garfield, Carbon, Cascade, Meagher, Blaine, Yellowstone, Liberty, Carter, Custer, Prairie, Dawson, Toole, Ravalli, Treasurer, Wheatland, Lake, Jefferson, and Sweet Grass. Limited open seasons may be declared in these counties by the state commission. The law provides that one elk of either sex may be killed in that part of Granite county lying south and west of the Deer Lodge river from and including November 12 to and including November 15 of the same year.

All of Lewis and Clark county is closed to elk shooting except that portion within the following boundaries: Beginning at the point where the Big Blackfoot river intersects the county line between Lewis and Clark and Powell counties, running thence up the north bank of the Blackfoot river to the mouth of Cadotte creek, thence up Cadotte creek to the top of the Continental divide, thence northerly along the Continental divide to Scapegoat Mountain, where the headwaters of the North Fork of the Blackfoot begin, thence down the North Fork of the Blackfoot river to its intersection with the county line between Lewis and Clark and Powell counties, thence along the county line to the point of beginning. In the excepted portion of Lewis and Clark county the open season on elk begins November 1 and closes November 15, both dates inclusive.

The closed elk area also includes all of Missoula and Powell counties except the drainage area of the Clearwater river and its tributaries and that portion of the two counties north of the Big Blackfoot river and east of the drainage area of the Clearwater river and except that portion of







# MONTANA WILD LIFE



Missoula county within the drainage area of Swan river and its tributaries and except that portion of Missoula and Powell counties within the drainage areas of the South Fork of the Flathead and its tributaries.

All of Gallatin county is open to elk hunting except that portion lying north of the township line between Townships 3 and 4 north.



Senator Cooper  
Mineral County

Elk may be killed in Park county from October 15 to December 20 except that the state fish and game warden is given the power to shorten the season when deemed necessary on five days' notice. It is unlawful to shoot Park county elk between 5 p. m. and 8 a. m. of any day. It is in this area that elk migrate when food becomes short within the boundaries of

Yellowstone Park.

According to the new law the open season for elk in Teton county, not included in a game preserve and all that portion of Lewis and Clark north of the north fork of the Dearborn river and not included within the game preserve, shall begin October 15 and continue through December 1.

The open season for deer has been likewise amended in the new law. It provides that the open season shall begin October 15 and close November 15, provided, however, that in all that portion of Ravalli county lying west of the Bitter Root river and north of the confluence of the east and west forks of the Bitter Root river, the season shall begin September 20 and close October 20. It is further provided that in the counties of Sanders, Mineral, Ravalli, Missoula, Flathead, Lincoln, Granite, Powell, and Lake, the open season for deer shall begin with October 25 and close November 25.

Under the act it is a misdemeanor for any person to shoot or kill deer at any time in Yellowstone, Daniels, Sheridan, Rosebud, Custer, Musselshell, Powder River, Carter, Richland, Roosevelt, McCone, Dawson, Carbon, Phillips, Prairie, Garfield, Petroleum, Treasure, Liberty, Toole, Blaine, Teton, Valley, Fergus and also all of Glacier and Pondera counties lying within the Lewis and Clark forest, and also that portion of Gallatin county lying north of the south line of township 4 north, M. P. M., and that part of Big Horn county lying east of the 107th meridian.

The law provides that seven counties of the state shall permit the shooting of deer of either sex during the regular open season. Gallatin county tried the experiment two years ago and this year asked to be returned to the buck law provisions. These counties are Mineral, Glacier, Lake, Flathead, Lincoln, Sanders and Ravalli.

The new law forbids the shooting of any deer or elk within the boundaries of any incorporated or unincorporated town.

House Bill 270, introduced by the fish and game committee of the house, changes the prevailing law in several places of interest to sportsmen. It provides that shooting at game, game birds or fur bearing animals from a highway shall be a punishable offense.

In this measure the use of an airplane in hunting migratory water fowl is forbidden. The law forbids the use of an airplane for concentrating, pursuing, driving, rallying or stirring up game or birds. Difficulties which recently arose over the use of planes for such purposes, made possible this protective legislation.

The bag limit of fish is reduced, yet the weight limit remains the same. To protect the smaller fish, the law now reads that the game fish limit shall be 25 fish in the aggregate with a net weight of 20 pounds and one fish. Under the old law the limit was 40 fish with an aggregate weight of 20 pounds and one fish. No more than five fish seven inches long are permitted in a bag. The law applies to possession of fresh game fish, dried, salted or cured fish.

The law provides that from and after May 20, 1931, it is hereby made unlawful for any person, persons, firms or corporations to sell or have in possession, any salmon eggs or spawn or any imitations thereof or substance prepared therefrom and it shall be unlawful for any persons to use in any of the waters of this state any salmon eggs or other fish spawn or any imitation or substance prepared therefrom, as a fish bait or fish lure.

The law further provides "that it shall be unlawful to catch any game fish through the ice or through a hole in the ice, except in such waters as are designated under proper orders of the State Fish and Game Commission. In case any game fish is unintentionally taken contrary to restrictions, it shall be immediately returned unharmed to the waters."

The State Fish and Game Commission is given the power to change or suspend the closed season on game fish so as to meet local conditions.

For the last 10 years, the resident hunting and fishing license fee has remained at \$2, despite the constantly increasing demands of sportsmen for additional rearing ponds, more planting of fish, greater game farm capacity and improved facilities all along the line. Hence, the passage of the increased license fee bill, H. B. 269, by the fish and game committee of the house, was an outstanding piece of legislation. The bill, as eventually passed, does not disturb the resident fishing license. It provides that residents, on payment of \$2, shall be privileged to fish and hunt birds. The big game license for residents shall be sold at \$1. The coveted Sportsman's license, fostered by Senator Ralph R. Tower of Lake county, sells at \$5 and is proof

that the holder has paid an additional sum for the conservation of wild life of the state.

Because of the importance of this measure, the bill is herewith published in its entirety for the information of Montana sportsmen:

**CLASSES OF LICENSES.** Licenses shall be divided into the following classes:

Class A—Resident game birds and fishing license.

Class AA—Resident big game license.

Class AAA—Resident SPORTSMEN'S LICENSE.

Class B—Nonresident fishing license.

Class B-1—Nonresident game bird license.

Class B-2—Nonresident Big game license.

Class C—Alien fishing license.

Class C-1—Alien game bird license.

Class C-2—Alien big game license.

Class D—Trapper's license.

Class E—Fur dealer's license.

Section 2. That Section 3685 of the revised codes of Montana of 1921, as amended by Chapter 59, laws of the 20th legislative assembly of the State of Montana, 1927, be, and the same is, hereby amended to read as follows:

Section 3685: FEES AND POWERS UNDER LICENSE. Said applicant, if a resident of the state of Montana and a citizen of the United States, shall pay to the officer or person countersigning and issuing the license, the sum of two dollars (\$2.00) as a license fee and shall obtain a license of Class A which shall entitle the holder to pursue, hunt, shoot, kill, capture, take and possess game birds and to fish with hook and line or rod in hand, as authorized in this act.

Said applicant, if a resident of Montana and a citizen of the United States, shall pay to the officer or person countersigning and issuing the license, the sum of one dollar (\$1.00), and shall obtain a license of Class AA, which shall entitle the holder to pursue, hunt, shoot, kill, capture, take and possess any of the game animals of this state as authorized by this act; provided, however, that said applicant, in order to obtain said Class AA license, must be the owner and possessor of a Class A license, as hereinabove defined.

Said applicant, if a resident "sportsman" of the State of Montana and a citizen of the United States, may pay to the officer or person countersigning and issuing the license, the sum of five dollars (\$5.00) as a license fee, and

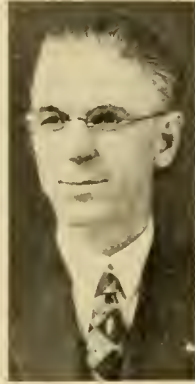


Ralph Dougherty  
Ravalli County





## Committee Chairmen



Senator McCormick  
Musselshell  
In the Senate



S. C. Arnold  
Stillwater  
In the House

shall obtain a license of Class AAA, herein designated as a resident "Sportsmen's License," which shall entitle the holder to pursue, hunt, kill, capture, take and possess game, game birds, and game animals, and to fish with hook and line, or rod in hand as authorized by this act.

All citizens of the United States who have lived in this state at least six months immediately preceding their application for a license, or officers, soldiers, sailors and marines of the United States army, navy or marine corps, shall be deemed resident citizens for the purpose of this section, as well as officers of the forest service and of the biological survey of the United States department of agriculture.

Said applicant, if a nonresident of the state or a resident for less than six months immediately preceding his application for a license and a citizen of the United States, shall pay to the officer countersigning and issuing the license, the sum of \$3.50 (Three and 50/100 dollars) as a license fee, and shall obtain a Class B license, which shall entitle the holder to fish with hook and line, or rod in hand, as authorized by this act; and such nonresident on like application and on payment of the sum of ten dollars (\$10.00) as a license fee, shall obtain a Class B-1 license, which shall entitle him to pursue, hunt, shoot, kill and take game birds, as authorized by this act; and such nonresident, on like application and on the payment of the sum of thirty dollars (\$30.00) as a license fee, shall obtain a license of Class B-2, which shall entitle the holder to pursue, hunt, shoot, kill, capture, take and possess game animals, as authorized by this act.

Said applicant, if an alien, resident or nonresident, shall pay to the officer countersigning and issuing the license, the sum of ten dollars (\$10.00) as a license fee and shall obtain a Class C license, which shall entitle him to fish with hook and line or rod in hand, as authorized by this act; and such alien, on like application and on the payment of thirty dollars (\$30.00) as a license fee, shall obtain a license of Class C-1, which shall entitle him to pursue, hunt, shoot, kill and take game birds, as authorized by this act; and such alien, on like application and on the payment of the sum of fifty dollars (\$50.00) as a license fee, shall obtain a license of Class C-2 which shall entitle him to pursue, hunt, shoot, kill, capture, take and possess game animals as authorized by this act, provided, however, that any person in possession of first citizenship papers shall not be considered a resident of the State of Montana for the purpose of this act.

To every license, whether issued to a resident, nonresident or alien, which authorizes the licensee to kill elk or deer in this state, there shall be attached to said license certain tags, coupons or other markers, the form of which shall be prescribed by the State Fish and Game Commission, and when any person shall take or kill any deer or elk under such license such person shall immediately thereafter detach

from his license, and attach in plain sight to the carcass of said animal or animals, the proper tag, coupon or other marker, which said tag, coupon or other marker, shall be kept attached thereto so long as any considerable portion of the carcass remains unconsumed. When the proper tag, coupon or other marker, is so attached to the said game so killed the same may be possessed, used, stored and transported; provided the necessary permit to transport the same accompanies the shipment. To said license to hunt or take elk or deer shall also be attached a card, which said card shall on or before the first day of January, of the year following the date of the issuance of said license, be returned by the holder of said license to the Fish and Game Commission, and a report made to said commission of the game taken under said license and the place where same was taken, it being the intent of this act to require every licensee to make said report whether any game was taken under said license or not. It shall be unlawful and a misdemeanor punishable, accordingly, for any one killing any deer or elk under said license, to fail or neglect to attach the tag, coupon or other marker so provided by said license to any deer or elk killed by them immediately after the same has been killed or to fail to keep said tag, coupon or other marker attached to said deer or elk or portion thereof while the same is possessed by him.

The applicant for a Class D license or Trapper's license, must be the owner and in possession of a Class A-2 license, and upon the payment of the sum of ten dollars (\$10.00) to the officer to whom the application for a Class D license is made, shall receive and obtain a Class D license, or Trapper's license, which shall authorize the holder thereof to trap fur-bearing animals within the state at such time and in such manner as may be lawful so to do under the laws of this state and the regulations of the Fish and

Game Commission, and at such places as may be designated in said license.

All sums collected for licenses sold, or received for permits issued, from the sale of seized game or from fines, or the sale of firearms, or other chattels confiscated, from damages collected for violation of the fish and game laws of this state, from appropriations, or received by the State Fish and Game Commission from any and all other sources, are hereby appropriated to and placed under control of the State Fish and Game Commission. All money so received shall be remitted by the State Fish and Game Warden to the State Treasurer to be by him placed to the credit of the fish and game fund.

The sum of Seven Thousand Five Hundred Dollars (\$7,500.00) shall be transferred on or before January 1 of each year from the Fish and Game fund to the Bounty fund of the state, to be used to pay bounties on predatory animals as provided by law; said sum of \$7,500.00 shall be matched with a like sum of the said bounty fund money derived from the tax on livestock now provided by law, providing a fund of \$15,000.00. At the close of any bounty paying season of any year, fifty (50) per centum of any unexpended balance shall be retransferred to the State Fish and Game fund. Nothing herein contained shall be so construed as to prevent the Livestock Commission from expending from its bounty fund any part thereof in excess of \$15,000.00 which may be necessary for the purpose of paying bounties.

Section 3. That Section 3691 of the revised codes of Montana of 1921, as amended by Chapter 59, laws of the Twentieth legislative assembly, State of Montana, 1927, be, and the same is hereby amended to read as follows:

Section 3691. EXCEPTIONS. The provisions of the act shall not apply to persons pursuing, hunting, capturing, shooting, killing, taking or trapping, or attempting to kill, take or trap predatory animals, prairie dogs, ground squirrels, jack rabbits, gophers, or English sparrows, crows, hawks, fish ducks, blue heron, snow owls, great or grey owls, great horned owls, blackbirds, kingfishers, magpies, jays and eagles, which may be pursued, hunted, taken, killed, shot, trapped, possessed or transported at any time; and minors under 15 years of age may pursue, hunt, shoot, kill, take and capture game birds, and fish for and take fish, during the open season without a license.

Section 4. Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction and unless as herein otherwise provided, shall be punished by a fine of not less than Twenty-five Dollars (\$25.00), nor more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for not more than One Hundred and Eighty (180) days or by both such fine and imprisonment; and in addition thereto, shall, in the discretion of the court, forfeit his license to hunt, fish or trap within this state for a period of one year from the date of his conviction.





## What Does the Sportsman Owe?

Editorial by A. C. Barrell in Field and Stream



On the opening day I was out pheasant shooting with Friend Farmer, who owns two setters and takes pity on me each year. We were only a few miles from New York, and yet the shooting was splendid—better than I had in any one day on a rather expensive two weeks' trip to Virginia last winter. Five cock birds fell to our guns—fast in the air, beautiful to look upon, delicious on the table. We saw 25 birds on that day of rare sport and added to our credit in the Bank of Good Health.

In the spring we have several days of trout fishing together—good fishing, with the browns often coming eagerly to the fly in well-stocked streams. We have to fish hard, far and fine for these educated fish, but we get them. Bigger trout come out of those waters than I have ever seen taken in the wilderness waters of Canada. They may not come to me, but they come!

At the end of the perfect pheasant day the thought struck me, "Well, what do I owe?" This natural question was emphasized when I presented one of the birds to the wife of a city friend on whose country estate it happened to have been shot. "Thanks for the beautiful gift," said she, "but frankly I wish our pheasants weren't shot. We would like to keep them as part of our scenery. They add a wild touch to our fields.

"But," I explained, "they belong to the state. They don't just happen. They come from the state game farms or are hatched by the hens of friendly farmers from eggs furnished by the state. But for the sportsmen, you never would have these pretty ornaments about the place. Our game license money pays for them. It pays for the trout in your brook. If the waters hereabouts were not stocked and protected, there wouldn't be a trout left in them."

This was a new idea to her, and a satisfactory one. I, however, thought it over and decided that I got more than I paid for. Here I had enjoyed a day of healthful sport, and had secured enough food for a guest dinner at home; in the spring I had taken 30 trout in four trips, and had worked off the winter ptomaines as well. In food alone I had received about \$15 worth of delicacies. And for all this I had paid only for my hunting license.

I had not put out any of the 25 pheasants we saw. I hadn't given them a thought, except to shoot them. I hadn't stocked the streams. I registered a proper disgust when I found that a selfish factory owner was polluting a fair river, which formerly afforded good trout fishing. But the resolve to do something about it came to nothing. I was truly sorry when I read

of a game warden's murder by foreigners who were killing song birds on Long Island. The late Dr. Kalbus, former game commissioner of the state of Pennsylvania, told me that 14 of his state wardens were shot at, seven were wounded and four killed by game law violators in one year. In the United States it is not unusual for game wardens to be injured or killed while performing their duty. Absolutely shocking, but—

A large part of a game warden's salary goes for gasoline if he really covers his territory. Somebody owes every efficient warden more money. A large part of game license money is deflected from fish and game conservation to general purposes in many states. How utterly stupid! And yet we permit it. Who can defend such a practice? How long shall it continue?

What had I done about it all? I had paid \$1.25 and felt rather proud of myself in complying with the law. The more I thought it over, the meaner and lower I felt. I couldn't get away from that troublesome question, "How much do I owe and to whom?"

Doubtless you've felt the same way, but probably the idea slipped away without your doing a blamed thing about it. Let's make a frank confession of ignorance or downright guilt and then get busy. What can we do to square up?

And bear this in mind: if enough of us decide to pay our sportsmen's bills, we'll see 50 pheasants instead of 25 on the opening day. We'll have our ducks and quail and partridges back in numbers, our big game increasing, our waters clean and teeming with game fish—and in a few years' time! If you question this, look into what Pennsylvania has done to make itself the best hunting and fishing state in the east. It is years ahead of 90 per cent of the other states because its sportsmen are alert, organized and determined.

It does seem sure that we owe plenty of dollars—five or ten or more a year—for benefits coming to us. Even rocking-chair sportsmen owe something for their memories. There are no people more generous in the world than sportsmen. All that is necessary is for them to understand fully what should be done and how to do it.

Let's join our nearest fish and game association. It will cost but a few dollars a year. Even if we can't devote much time to active service, let's put our money behind the good fellows who have made a hobby of conservation and are keen to work. Better yet, let's get in all over, and we'll have our youth renewed and our enthusiasm rekindled.

Let's decide to write our senators and congressmen whenever there is a

bill up to increase the fish and game, to preserve the forests, to set aside game refuges, to stop the draining of valuable breeding places of fish and fowl, to prevent the pollution of our fresh waters (80 per cent of which are now polluted), to increase the numbers and salaries of game wardens and to encourage the use of firearms as the birthright of all Americans.

Legislation is constantly more favorable to the sportsmen's interests, but a few letters a year from a number of us will hurry the enactment of laws which are needed now. Is there any reason why our legislators should be active in the field of fish and game conservation, unless they are informed as to the facts and wishes of sportsmen?

Let's subscribe to one or more sportsmen's magazines and follow the programs of the trained specialists who help to organize every movement aimed at bringing back the wild life and preserving the natural beauties of our country. As one not connected with the sporting press, I wish to register my conviction that without magazines of this sort little progress could be made. In fact, I believe these magazines are the most powerful factors in creating leaders, in educating the public and in coordinating the efforts of widely scattered sportsmen in the field of needed reforms. Buying an occasional copy during the open season is not enough to enable one to grasp intelligently the various programs of conservation movements. Subscribe and keep in step. Cost—a few dollars.

Let's take time to get our boys and girls sold on conservation, and get them out with red and gun. Cost—nothing, when we consider the pride we'll feel to have them follow in our footsteps along the shore or through the forest. Let's give them better fishing and shooting than we ever had. We can do it.

Of course, we'll insist on paying for our fun when we realize that pheasants don't grow like Topsy, that trout and breeding places cost good money to produce and plant, that ducks can't live in the air and need resting places, and that a lot of good fellows are willing to work overtime to better conditions if we give them our backing and pay our share of the expense.

It's fine for you to decide you'll do it; but let's act now—that's the test! What will you do today?

### CHANNEL CATS GAME FISH

Possession and sale of channel catfish was the cause of William Wallace, restaurant keeper at Chillicothe, Mo., paying a fine and costs amounting to \$38 recently for violating the game and fish laws. Channel catfish are classed as game fish in Missouri.





## When Camels Roamed Montana Trails

By David Hilger, Librarian, State Historical Library, Helena



David Hilger

around the grocery store cracker barrel and they have often been doubted. Hence, for the benefit of those who relish browsing among facts relating to early Montana history, this article has been prepared for MONTANA WILD LIFE..

The fact that camels should have been used in Montana as pack animals seems unbelievable, yet the fact remains that during 1866 seven camels were brought to Helena and used in packing to the surrounding mining camps.

To go back a little as the old-timer puts it, I must briefly recount the fact that Jefferson Davis, when secretary of war, took early action in the late fifties of the last century and organized the first if not the last "camel brigade" of the United States which made its way from San Antonio, Texas, to Bakersfield, California. In 1853, Jefferson Davis urged congressional action in the "interest of camel importation for military purposes for express and for other purposes . . . that the camel would supply a want now seriously felt in our service."

Well, the camel was imported and it fell to the lot of Lieutenant Edward F. Beale to take charge of some 30 camels for the first overland trip. His diary has been published. The use of the camel proved satisfactory. In fact, they were packed with corn to supply the mules that accompanied them while the camels lived by browsing on grease-wood brush and never grew footsore.

I will quote from Beale's diary of 1857:

"It is a subject of constant surprise and remark to all of us how their feet can possibly stand the character of the road we have been traveling over for the last 10 days. It is certainly the hardest road on the feet of barefooted animals I have ever known, and as for food, they live on anything and thrive. Yesterday they drank water for the first time in 26 hours and al-

though the day had been excessively hot they seemed to care little for it. Mark the difference between them and the mules; the same time, in such weather, without water, would set the latter wild and render them useless, if not break them down."

Other importations of camels and dromedaries were made by individuals and companies to San Francisco following the Jefferson Davis experiment and from these came those which were brought to Montana. From the Southwest to Boise and into Montana by way of Virginia City and Helena they eventually reached the Kootenai mines.

But I am getting away from my story and will confine my article to the camels in Montana. I arrived in Helena in 1867, a boy nine years of age, and as the camels were here in 1865 I have to rely on accounts of other old-timers here at the time.

C. W. Cannon has described it well and I will quote his story:

"I can not recall the name of the man who owned the camels but I remember that they used to unload in front of the store of Gaston and Simpson at the upper end of Main street in Helena in 1865. They could carry tremendous loads. They would be loaded with sacks of flour until you couldn't see anything of the animals except their heads. They could carry all you could pile on them and never show that the pack was any load for them at all. They would go up and over the mountains in the roughest and steepest of places and never refuse to keep moving in their slow deliberate way. They would be loaded with gold dust in nail kegs from the gulches and bring the dust to Helena."

On one of their trips out of Helena to Deer Lodge one of the camels was mistaken for a moose while grazing and shot by a man named James McNear. It cost the unfortunate hunter \$800 to settle the bill.

The camels had disappeared in 1867 for good and sufficient reasons. I have often been regaled as an interested listener with many tales of runaways caused by the camel trains. The sullen mule, horse or ox would surely stampede at the sight of the camels. The many damage suits that arose from irate teamster and mule train packer made it an unprofitable business and they soon disappeared.

The Montana Post, published at Virginia City, gives several accounts of the coming of the camels to that place in 1865.

In the issue of July 29 of that year we read: "On Saturday last quite an excitement was created in town by the appearance of a train of dromedaries opposite the Stoke & Davis store. In

the presence of a large crowd of idlers and spectators attracted by the novel spectacle, the "ships of the desert" exhibited the most lamblike docility, were made to kneel down, for the purpose of receiving their heavy burden of 600 pounds of flour each, and as soon as the load was packed securely they arose and traveled off with as much ease as a cayuse if laden with a miner's outfit. Their destination was Washington Gulch, which is accessible as far as freight is concerned by pack animal only."

That the camel became a menace on public roads is attested by an act passed by the Nevada legislature in February, 1876, which reads as follows:

"Section 1. From and after the passage of this act it shall be unlawful for the owners of any camel or dromedary to permit them to run at large on or about the public roads or highways of this state."

"Section 2. Provided a fine of from \$25.00 to \$100.00 for any violation, also imprisonment."

Times have changed, but we can well remember when the first autos essayed to take the road, causing many runaways and irate farmers coming into town made a wide circle to let a one or two-cylinder car puff laboriously by.

Priest Pass near Helena or Mullan Pass, if you please, have seen strange things happen since the time Lieutenant Mullan crossed the summit in 1853, when the Northern Pacific railway pierced the tunnel but the strangest of all was when the camels climbed the summit laden with six hundred pounds of flour in 1865 on their trek to the Deer Lodge mines.

The only reason I can see for the abandonment of the experiment was the causing of horses, mules and ox teams to stampede. The camels were docile, thrived on meager pasture and browsing and stood the climate well and kept in good condition. Their tough cushioned feet prevented becoming lame on rough mountain trails where the horses, mules and cattle had to be shod. They packed from 600 to 1,000 pounds of freight, never stumbled and negotiated the hardest road with comparative ease, but their peculiar aroma and looks were enough to raise Cain on the road.

All this made the story of the camel in Montana a short and interesting episode adding to the colorful life in Last Chance Gulch of 1865.

"What did your boss say when you told him it was triplets?"

"He promoted me to the head of my department."

"What department are you in?"  
"Production."



# Montana Fish and

G. T. BOYD, Great Falls..Commissioner

JOS. L. KELLY, Anaconda..Commissioner



# Game Commission

W. K. MOORE, Billings...Commissioner

E. A. WILSON, Livingston..Commissioner

THOMAS N. MARLOWE, Missoula, *Chairman*

ROBERT H. HILL, Helena, *State Fish and Game Warden, Secretary*

## MONTANA WILD LIFE

The Official Publication of the State  
Fish and Game Department.  
Published Monthly at Helena, Montana.

FLOYD L. SMITH, Editor

Subscription Rate \$1 per Year—15 Cents per Copy  
Advertising Rates on Application



Copy for advertisements subject to approval of State  
Commission and must be in the hands of the editor at the  
State Capitol building, Helena, on the 15th of the month  
preceding publication date.

VOL. III

APRIL, 1931

NO. 11

### MONTANA WATCHES FLOW OF WATER

**M**ONTANA'S State Fish and Game Commission, ever alert to preservation of the natural resources of the state which provide livelihood and protection for wild life, is watching progress at the national capitol regarding the proposed construction of a series of dams along the Mississippi and its tributaries intended to prevent floods. The following self-explanatory letter has been addressed to Senator T. J. Walsh at Washington, D. C., by Chairman Marlowe:

"I understand two bills were introduced at the last session of congress providing for the construction of a system or series of reservoirs to prevent floods along the Mississippi river and its tributaries, and that under the provisions of these bills, one or two large reservoirs would probably be constructed in Montana to check the flow of waters in the Missouri river.

"We are very much interested in these bills, not only because these reservoirs will retard the flow of waters in the Missouri river and eliminate the terrible destruction caused by floods, but the construction of these reservoirs in Montana will also make additional breeding grounds for wild water fowl and shore birds.

"On account of the rapid run-off water in this state, the natural lakes and ponds are gradually drying up and on this account the natural breeding grounds of migratory birds such as ducks, geese and shore birds, are becoming more and more restricted. Many places in this state which formerly were splendid nesting grounds for these birds are now dry or almost dry. If, under the provisions of one of these bills, one or two large reservoirs could be constructed in this state, it would add materially to the nesting grounds for these kind of birds, and would probably prevent other nesting grounds from drying up, and on this account we are greatly interested in these bills. I have never heard what happened to them. Will you kindly send me copies and advise me the status of them and what, in your opinion, is the likelihood of their ever being enacted into law."

No man is above the law and no man is below it; nor do we ask any man's permission when we require him to obey it. Obedience to the law is demanded as a right, not asked as a favor.—Theodore Roosevelt.

### WHOSE PUBLIC DOMAIN?

**I**T is doubtful whether many western states will grasp at the opportunity to obtain possession of their share of the remaining 178,979,446 acres of public domain lands—the skimmed milk of our vast former public holdings—in the manner suggested by President Hoover's special committee. This committee has been studying the problem under the direction of James R. Garfield, secretary of the interior in the Roosevelt administration.

In 1904 the unappropriated public domain lands amounted to 473,836,402 acres, but homesteading and other methods of acquiring ownership have reduced the acreage. How to dispose of the remainder of the lands, denuded and ruined by uncontrolled grazing, has been the problem.

If these lands should become the property of the states it will remove one of the most potent arguments for appropriations by congress for public roads and other purposes.

The committee recommends that all the remaining public domain, except lands set aside for national defense, reclamation, reservoirs, national forests, parks, monuments, and migratory bird refuges, shall be turned over to the states if they, by act of their respective legislatures, agree to accept the lands under the conditions laid down.

Lands which the states do not accept are to be converted by executive order into national ranges, and the existing laws and appropriations pertaining to the national forests shall be extended to them.

Before any lands are to be turned over to the states, a board of five shall determine which lands should be added to national forests, national parks, wild life refuges and other national uses. Many of these areas might be set aside as refuges for antelope, sage grouse, and other wild creatures.

I owe all my success in life to having been always a quarter of an hour beforehand.—Lord Nelson.

### A LEGAL 'BOUT-FACE

**T**WO decisions on the West Coast will interest every outdoor man, regardless of where he lives, because they are directly opposite in their effect.

California gave various county boards the right to make regulations for the public safety. In Los Angeles county, hunting for game was prohibited, but nothing was said about hunting for mountain lions and other creatures not classed as game.

A local sportsman killed a deer during the legal state season in a remote, inaccessible place where no harm could come to anyone to test the ordinance. He was hailed into court and fined. The higher court upheld the decision, taking the position that the failure to include "varmint" hunters and other shooters did not weaken the ordinance.

Oregon has on several occasions taken advantage of its law authorizing the governor to close the hunting season as a protection against forest fires. There a sportsman for the same reason as in California killed a deer in Tillamook county contrary to the proclamation of the governor.

The defendant held that since the law did not control other uses of the forests it was unconstitutional. Upon conviction he carried the case to the state supreme court, and Judge Belt held the law to be unconstitutional, saying that the theory that deer hunters constitute a menace to the forests of the state is "absurd and ridiculous."

It is refreshing to find a supreme court judge who understands sportsmen, and who will not be a party to denying them privileges which the general public may enjoy.





# MONTANA WILD LIFE



## EXAMINATIONS FOR HUNTERS

**I**N the January issue of FIELD AND STREAM, John B. BURNHAM, for many years the president of the American Association, editorially recommended that undesirable hunters be eliminated by a system of examinations.

The suggestion elicited much discussion, most of it favorable. One prominent Kentuckian suggested that "it might help to compel every applicant for a hunting license to file a bond with the state to assure his good behavior. The farmer could be reimbursed for damages. A shiftless, irresponsible hunter would have a hard time giving the bond."

At the Seventeenth Game Conference one of the speakers predicted that ere long some state would muster up enough courage to establish an examination system to eliminate from the field those who cause all the trouble between landowners and sportsmen. He said: "Such a system, once established, would work automatically, and the states could revoke certificates of those who violate the law or commit depredations."

New York's new conservation commission, Henry Morgenthau, Jr., publisher of one of America's largest farm periodicals, instead of depending upon the judgment of himself and staff exclusively, as his first step appointed an Advisory Council composed of 20 of the Empire State's conservation leaders.

This council has already justified Commissioner Morgenthau's judgment. At a recent meeting it unanimously recommended the enactment of a law requiring examination of applicants for hunting licenses, with an examination fee of 50 cents. It is therefore likely that the Empire State will be the first to adopt this method of eliminating the unfit and putting hunting upon a higher plane.

The New York Council also recommended that the trespass law be so amended that it will apply equally to all classes of trespassers instead of applying only to hunters and fishermen, thereby reflecting upon thousands of honest sportsmen as does the present law by singling them out as a class.

Other recommendations of the New York Council include a uniform opening date for all small upland game, and a plan for leasing public fishing waters similar to that in operation in Connecticut and New Jersey.

One of the great problems in parking is to get your car out of a line like this.

## SMELTS TURN TABLES AND DINE THEMSELVES

**T**HE smelt has turned the tables on the Michigan Conservation Department—and dining tables, at that. Introduced to Michigan waters years ago as food for lake trout and whitefish, the smelts have not only refused to feed the game species, but have healthily increased by the millions and are dining at the favorite fishes' expense—on trout and whitefish eggs, the department has informed the American Game Association. Now confronted by too much "food," the department is seeking a way to control the voracious smelts.

Pheasants feed on 100 different species of insects as well as nearly 100 kinds of seeds and plants.

## NOW THEY ARE "PANNING" THE DUCKS

**"T**HAR'S gold in them thar ducks" say the Oregonians who shoot big fat mallards on the Gardner preserve of Sauvie's Island near Portland. Frank Troeh, world-famous trapshooter of Portland, drew a nice fat mallard hen in his bag—she had given him sport and she promised a tasty meal, but lo and behold, she also produced gold—gold nuggets, five of them. Stowed in her crop along with the usual collection of food grinding pebbles were five gold nuggets—not large, but pure gold ranging in size up to an eighth of an inch in diameter.

Now duck hunters in that vicinity are both carefully cleaning all gizzards and wondering where Frank's mallard scooped up those virgin gold nuggets during the summer. Because where she summered in the far north there is free gold—now for a gold-bearing duck with an identifying band on its leg. What if a Biological Survey identification leg band should start another gold rush to rival the days of '49 or the great hejira to the Yukon in the more recent '90's?

## CANADA STUDIES VANISHING DUCK AREAS

**I**NVESTIGATION to discover the cause and extent of the decrease of wild ducks is being made by several hundred wildfowl observers in Canada, the native home of most of the ducks that spend the winter in Montana and the United States.

Observations have substantiated claims expressed by experts that the shortage of wildfowl is largely due to destruction of their Canadian breeding grounds.

"Settlement and agricultural development have curtailed the breeding areas, and when dry conditions prevail, shrinking the shallow lakes and marshes, the effect on the duck supply of the continent is marked," the department stated.

A large share of the continent's duck supply is hatched in Manitoba, Saskatchewan and Alberta. Drainage and agriculture have destroyed thousands of acres of marshy prairie lands in the southern parts of these provinces, where the most important of the duck nesting grounds are found, the reports proved.

That the disappearance of satisfactory nesting spots in southern Canada will merely cause a retreat of the ducks to northern fastnesses is a forlorn hope, the department indicated. A comparative study of the ranges has proved that other sections are not suitable.

The weaker the argument the stronger the words.

## ATTRACTING BIRD-LIFE

**S**PRING will soon be here and nature lovers and others interested in the out-of-doors turn their thoughts to the arrival of birds. Already bluebirds and robins have been observed and others of that grand array of beautifully colored songsters will soon be following. Now is the time to begin erecting and placing bird boxes in desirable localities. Lots of people enjoy cutting up cigar boxes and using odds and ends of wood material to make homes for the birds. It is remarkable what splendid structures can be made from these old scraps and a little paint.

Boy Scouts and school children vie in contests for bird house building, and newspapers and sportsmen's associations sponsor these bird-house-building campaigns.

Sportsmen and nature lovers know what a serious menace the half-wild, half-starved stray house cat is to game and song birds. Observations have determined that the food of cats is at certain seasons almost restricted to young birds. As a rule, well cared for cats which are house pets do not do serious damage to bird-life. There can be but one solution to the feral cat problem—shoot the cat wherever you find him wandering about the fields and woodlands. The cat has no legal status and therefore one is not committing a violation by killing destructive creatures.

Many a man who does not know his own mind would be surprised to learn how well his acquaintances know it.

## PLANT BIGGER FISH

**M**ANY states, including Montana, are now endeavoring to rear all species of game fish to fingerling size or larger before they are stocked to lure the angler astream during the balmy days of spring. Two states, both of which have discontinued stocking fry except where unavoidable, have recently furnished some interesting figures to the sportsmen of their states.

Charles O. Hayford, the superintendent of New Jersey's fish work, has for a number of years been one of the exponents of more and bigger fish. The statement of the New Jersey Board of Fish and Game Commissioners shows that last year 446,882 trout, 75 per cent of them eight to 12 inches long, 203,000 trout under six inches long, 131,000 black bass, 113,800,000 yellow perch fry, and 391,950 sunfish were stocked. The game distributions during the year covered 22,700 ringneck pheasants, 32,000 pheasant eggs, and 14,900 rabbits.

In the distributions made by Pennsylvania one item of interest is 367,000 frogs two years old. Rearing frogs in large numbers is an accomplishment of which Pennsylvania is quite proud.

New Jersey estimates the fish distributed last year were worth \$186,000, while Pennsylvania's figure is \$621,000.





# Unlicensed Hunters

By J. B. Halm of Missoula, With Pictures by Author.



Joe B. Halm

ANY sportsman, or bird lover, who has had the good fortune in his rambles to come upon a mallard or pintail duck's nest, lined with downy feathers and watched the hopeful owner, faithfully incubating her eggs, watched her bring off her downy brood, and later seen the happy family busily feeding in some nearby pond, must have experienced a real thrill of pleasure and felt a pride

and responsibility in his discovery. Later, however, if he came upon this same beautiful nest scattered and destroyed by some predator, he must surely experience somewhat the same pang of resentment that I so often feel.

The rate at which our bird life is being destroyed by their natural enemies in some localities in Montana is alarming.

Incidental to photographing wild life last year, many nests of various kinds came under my observation. Many of these, in fact, the majority in one locality, were systematically destroyed by predators. Thirteen mallard, pintail and teal nests containing 117 eggs; three Hungarian pheasant nests with 53 eggs, and one Chinese pheasant with 13 eggs, were destroyed in a single week, a total loss of 183 potential game birds. Just who the destructive culprits were was not apparent at first but my observation and patience were rewarded. The scent of skunk was present in a great many destroyed nests, and a search disclosed several dens in the vicinity. These animals hunted the region at night, nosing through every clump of grass and weeds, until sooner or later they found the nests and sucked the eggs. A badger family consisting of a mother with several pups also moved in and cleaned up any remaining nests. At first I blamed my own possible carelessness and visitations as responsible for the crafty animals finding the nests by following my scent. Later, therefore, upon finding a nest, I kept at a considerable distance. These, however, met the same fate, as did many others which I had not previously found. The badger, like the skunk, worked at night. When a locality was thoroughly combed out and eggs became scarce, they picked up bag and baggage and moved their headquarters to greener pastures. The badger, I noticed, moved camp at least twice a week.

If a mother duck or pheasant succeeded in outwitting these night prow-

## Hello, Spring

Hello, Spring! I've been a wishin'  
 You'd be amblin' 'long this way;  
 I'm jes' itchin' to go fishin',  
 Been a watchin' ev'ry day.  
 Knowed you'd come along to cheer us  
 Like you always used to do;  
 Pitch yer tent an' camp right near us  
 Fer we're mighty fond of you.  
 Jes' lay off yer Easter bonnet,  
 Make yerself at home right here.  
 Whar's that fishpole now, doggone it!  
 That I put away las' year?  
 Never mind, I'll cut a willer;  
 'Taint no time to fool around.  
 Fer a real ol' fishin' hound,  
 Ketchin' trout is sure a thriller.

ers, she had through necessity to leave her nest for short periods during the day. It was then that that watchful, sneaking, sharp-eyed murrress, the crow, sitting on a post or nearby tree, seeing the mother leave would pounce upon the nest and destroy the eggs. Owls, excepting the short-eared diurnal owl, and hawks, are a menace in some localities, but fortunately in this region the sportsmen have reduced these vandals to a minimum. If the unhatched ducklings, pheasants and other birds, by good fortune, succeed in escaping these ever-present hunters who know no law and observe no closed season, the weasel, that merciless, crafty and treacherous little varmint comes into the picture and takes its toll of life from the helpless young. I found countless young ducks, pheasants and even mature tern killed by this heinous little destroyer. I came upon an entire brood of young meadowlarks neatly laid out on the canopy of their nest, their usual pink little bod-

ies bloodless and white—a tiny puncture in the neck told the story.

The common alley cat, abandoned at some deserted farm house or along the road, likewise demands serious consideration by sportsmen and nature lovers. He becomes a hunter and killer far more destructive to our bird life than the average person imagines. After a light snowfall, I have found a perfect maze of cat tracks stalking upland birds. Many of these cats den up under abandoned buildings, in straw stacks and even in old muskrat tunnels; here they thrive and multiply. It is true these marauders prey to some extent upon mice and small mammals but their toll of birds is appalling. On several occasions I have found the partially eaten remains of freshly killed birds with cat tracks as circumstantial evidence and have seen them stalking pheasants and actually caught them in the act of killing young ducks.

A rather amusing incident happened several years ago. I had decided to get the low-down on Mr. House Cat and had planned to use my camera to get the evidence. One morning a cat was prowling about a pond rimmed with tall grass and rushes; ducks, young and old, were abundant. My long-looked for chance had come. Snatching my camera, I crept stealthily along a slight depression into a heavy cluster of weeds and thistles. I thought I heard a crunching. Breathless, I got my camera in readiness. Oblivious to my surroundings, I cautiously pushed my way through the dense screen of thistles and could just make out an object busily engaged, as I thought, in devouring a newly killed bird. With heart pounding, I crept still near. Now was my chance. The cat seemed not to suspect my presence. At last when scarcely six feet away, I decided the moment had arrived. Silently, with camera set, I rose and caught one glimpse, not of a house cat but a polecat, with tail dangerously poised. I gasped, retreated one step, then tripped and fell backward among the thistles. Unmindful of thistles I rolled and scrambled pell-mell out of range of my would-be quarry. The air around me had suddenly become stifling with attar, but not of roses. Fortunately, my sudden fall had saved me the embarrassment of being skunked.

It is pathetic to see young song and game birds destroyed at such an alarming rate. One cannot but marvel at the courage and tenacity of these feathered creatures who continue to survive in the face of such overwhelming odds. Even the little meadowlark might well be decorated with a badge for bravery. Although surrounded and harassed day and night by enemies, he continues daily to greet us with his happy full-throated song; a shining example of undaunted fortitude.

## "The Hump Hitch" Is Next In Line

WHEN Dave Hilger, who acquired the reputation of being the best buffalo hunter in Fergus county, way back when the west began, first suggested the fact that camels were once used for pack animals in Montana, folks looked at him askance. The article on Page 7 sets forth the facts. Readers of MONTANA WILD LIFE have in store another treat, planned for next month's edition, in a thrilling incident based on these facts, which concerns the naming of Fourth of July canyon between Wallace and Coeur d'Alene in Idaho, written by W. B. McLaughlin of Hamilton, known to his friends at Bitter Root Bill. The story, "The Hump Hitch," is all set to go. Watch for it next month.

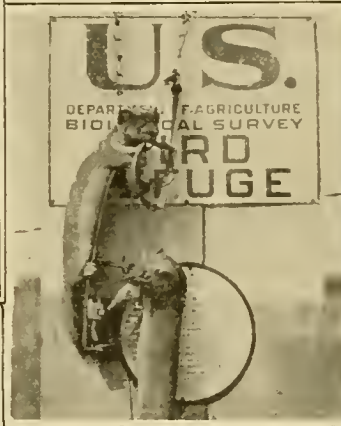




# Foes of Wild Life



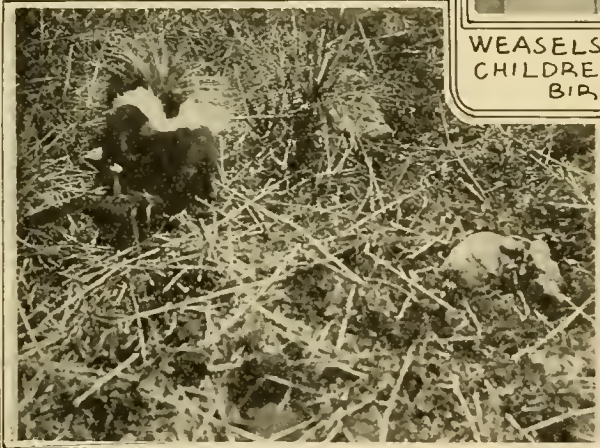
YOUNG CROWS — POTENTIAL BIRD DESTROYERS AT NINE PIPES BIRD REFUGE



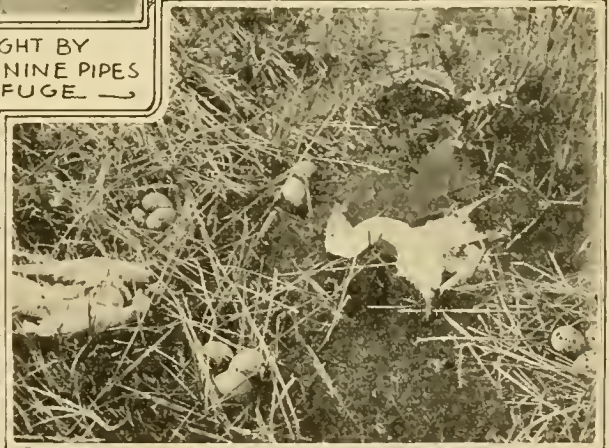
WEASELS CAUGHT BY CHILDREN AT NINE PIPES BIRD REFUGE



BLUE WINGED TEAL NEST DESTROYED BY BADGER, AT NINE PIPES BIRD REFUGE



A SKUNK TRAPPED AFTER IT HAD DESTROYED NUMEROUS BIRD NESTS



MOTHER TERNS KILLED BY WEASELS ON THEIR NEST AT NINE PIPES



YOUNG DUCKS KILLED BY WEASELS AT NINE PIPES BIRD REFUGE



A FAMILY OF WEASELS CAUGHT IN ONE DEN





## Sportsmen Await New Honor License



EXPRESSIONS received from throughout the state indicate that sportsmen are awaiting the issuance of the special \$5 license provided by the last legislature on recommenda-

tion of Senator Ralph R. Tower of Lake county. Applications are pouring in to headquarters of the State Fish and Game department at Helena, accompanied by checks, asking that names be placed on the waiting list for the badge of honor as soon as it comes from the printer. Under the plan approved by the legislature the resident fishing and bird license shall be \$2, the big game license with deer and elk tags attached shall be \$1 and the Sportsman's License \$5. The exponent of conservation of fish and game receives no greater privileges than the resident who purchased the \$2 and the \$1 license, but lists himself among outstanding sportsmen of the state who are expressing their unqualified stand with extra dollars, in aiding in continuing the campaign of conscientious preservation and propagation in which the State Fish and Game Commission is engaged.

Plans for the early issuance of licenses were placed in the hands of Robert H. Hill, state fish and game warden, at the recent meeting of the commission held at Missoula, March 12.

The meeting of the commission was held at the Florence Hotel. Those present were: T. N. Marlowe, chairman; E. A. Wilson, W. K. Moore, G. T. Boyd and J. L. Kelly, commissioners; Robert H. Hill, secretary, and K. F. MacDonald, superintendent of State Fisheries.

The following made statements with reference to the M. L. Matzick case in which Matzick was recently acquitted on a game violation charge: Those appearing against Mr. Matzick's reinstatement at the Somers hatchery were Kenneth F. MacDonald, Deputy Game Warden A. A. O'Claire, Elmer Phillips, Al Schlup and Owen W. Olson. Those who made statements on behalf of Mr. Matzick were M. L. Matzick, Mrs. M. L. Matzick, George Ruby and Mr. Baldwin, attorney for Matzick.

The commission re-convened at 3:50 p. m., at which time Chairman Marlowe read a prepared statement which he delivered to the secretary, as follows:

"The commission, having heard the evidence for and against reinstating M. L. Matzick as an employee of the Fish and Game Department, it was moved by Mr. Moore and seconded by Mr. Boyd that, owing to the conflicting evidence, Mr. Matzick be reinstated as of March 16, 1931, and that Mr. MacDonald's order suspending Mr. Matzick

### New License Fees In Montana

	Former Fee	New
Class A—Resident birds and fish, \$2	\$2.00	\$2.00
Class AA—Resident big game with tags, \$1 (Must also hold Class A)		New
Class AAA—Resident License, \$5.00		Sportsman's License, \$5.00 New
Class B.—Nonresident fishing license, \$3.50		3.50
Class B-1—Nonresident game birds, \$10.00		10.00
Class B-2—Nonresident big game, \$30.00		30.00
Class C—Alien fishing, \$10		10.00
Class C-1—Alien game bird, \$30		New
Class C-2—Alien big game, \$50		50.00
Class D—Trappers' license, \$10		10.00
Class E—Fur dealers' license	Resident, \$1. Nonresident, \$25. Fur Dealers' Agent, \$10.	Same

without pay, pending hearing before the commission, be ratified and approved." Vote: Mr. Boyd, yes; Mr. Kelly, yes; Mr. Marlowe, yes; Mr. Moore, yes; Mr. Wilson, yes.

Mr. Aide of the Forest service appeared before the commission with a petition asking the creation of a game preserve bordering on the west side of the Yellowstone river in the vicinity

### Tenth Anniversary of Commission

WHEN Montana's State Fish and Game Commission meets at Helena in April, it will mark the tenth annual gathering of the commission in its present form. Records show that the first territorial legislature of Montana passed the first fish and game law February 2, 185, providing the manner in which trout may be taken. The law likewise forbade the baiting of a hook with poisonous substances or the use of seines and nets. The law creating the present commission of five was passed by the legislature of 1921. In that year Thomas N. Marlowe of Missoula was selected chairman, and has since served efficiently. On February 11, 1926, E. C. Carruth of Havre, and W. K. Moore of Billings were named members, the other members being Chairman Marlowe, J. L. Kelly of Anaconda and E. A. Wilson of Livingston. Gilbert T. Boyd of Great Falls became a member April 8, 1927, when Mr. Carruth resigned. Robert H. Hill, secretary of the commission and state fish and game warden, has been associated with the department for 14 years.

of Gardiner. As Mr. Aide advised that there were to be some corrections made in the description of the boundary lines of the preserve, the order was made that Mr. Aide be instructed to have corrections made in the description of the proposed preserve, and then forward the petition to State Fish and Game Warden Hill for his investigation, and that Mr. Hill hold a hearing relative to the creation of this preserve, if he deems it advisable.

All the members of the state legislature were ordered placed on the mailing list of MONTANA WILD LIFE, official publication of the department.

Paul J. Fair, moving picture operator for the department, appeared before the commission relative to his employment after the expiration of his present contract with the department. No action was taken other than that he was instructed to complete films which he now has.

Mr. Hill was requested to confer with the attorney-general for an opinion as to whether or not Chinese pheasants, Hungarian partridges and upland game birds can be killed during the closed season, for the purpose of making a moving picture reel of hunting scenes for the department, to be shown throughout the state to sportsmen's clubs and other organizations for educational purposes. If the attorney-general renders a favorable opinion it was ordered that the picture be taken as soon as possible.

The matter of erecting a rearing pond on the Dearborn river, which matter was referred to Mr. MacDonald and Mr. Boyd at the last meeting, was discussed and the following motion made by Mr. Marlowe prevailed: "I move that Mr. MacDonald be authorized to construct a rearing pond on the Ole Bean place on the Dearborn river, providing proper easements can be obtained, and when there is money available for this work."

Commissioner Moore made a motion: That we carry on the predatory animal contest among sportsmen's clubs as it has been conducted in the past. Seconded by Mr. Marlowe. Vote: Affirmative, Mr. Marlowe and Mr. Moore; negative, Mr. Boyd and Mr. Kelly. Mr. Wilson was absent. Motion lost.

### HERO WORSHIP

Edith's daddy is a preacher. Edith is 5 years old. At breakfast the other morning, one lonely piece of toast was left.

"Be a hero," said Edith's mamma to Edith's daddy. "Be a hero and eat that toast."

Edith evidently thought mamma said "hearer." She responded quickly:

"My daddy, he isn't a hero. He's the preacher. The people what listens to him every Sunday—they's the heroes."





## Here's One for the Freak Book



Name It and Take It

THESE be strenuous times in Montana among meandering scientists who have discovered mastodon teeth in Carbon county, a Republican in Silver Bow county, the furbearing fish recently explained in these columns and other impossibilities too numerous to mention. Comes now the taxidermist's proof of the existence of a chevrotain or traguloid ruminant, known to certain scientists as the Cervuselaphus Sylvaticus, or a cross between the red stag of Europe and the jack rabbit, whose bodies strew the highways of Montana. The horned puss-caticus is known to graze only along the Northern Pacific right of way.

"If there's any question as to the existence of this whosit, there it is before your very eyes," quoth George Miner, Helena agent, who helped bore the holes in the Continental divide when the N. P. rails were laid.

To make it further impressive, the picture of the stuffed mixup is here presented. The stuffed bird was prepared by Taxidermist George Noyes of Billings and for several days recently was displayed in the Northern Pacific show windows at Helena, much to the confusion of Dicky Dee, whose supply of scientific explanations ran out early on the opening day.

To sum up the story of Billings scientists, who insisted that the rare beast be stuffed for posterity, it is a wild cross between a jackrabbit and a barbed wire fence, or perhaps Jennie Doe Rabbit and Richard Roe Deer. It has a splendid set of horns but it's tail is a fluffy pompom. It has the hind legs of a John Rabbit but the ears of the emblem of the Democratic party. Some specialists insist that they are found only in graveyards, where they dine on four-leaf clovers seasoned with sage.

Others assert they are related to the Kinkajou or Quin-ca-jou, a nocturnal, arboreal carnivore, described by Roy A. Gibbons, expert on the Cervus Alces

family, as a cercoleptus Caudivolvulus frequenting the warmer parts of South and Central America and which has been attracted to Montana because of the unusually mild winter. The Kinkajou, however, has a long prehensile tail and yellowish brown body and is erroneously called the yellow lemur, honey bear or meat hound. The Montana variety, hence, comes from some other Pullman reservation.

This animile is afflicted with many marks of the deer, the cervoid ruminant with frontal appendages which, when developed as antlers, are periodically deciduous, such as the leaves of the Anheuser Busch.

The Cariacas Virginianus is the common White Tailed deer of the United States which feeds on twigs, bullrushes, and red jackets worn by hunters.

On the other hand, the members of the Lepus family with which the Cariacus Virginianus is crossed, has a white downy fur from which Hudson seal coats distributed by many legislators are manufactured, and is a rodent of the genus Lepus.

When the Cotton Tail is at home, the name on the doorplate is Lepus Sylvaticus. It often feeds on the Welsh rabbit, which thrives on hot cheese poured over brown toast. It's literary favorite is that significant volume "Pigs Is Pigs" and it is often found excelling in mathematics, particularly in multiplication.

At any event, the nameless critter exists, thanks to the art of the taxidermist, despite the fact that Shirley Garrity de-

## Resolutions for "Good Morning"

- I will start anew this morning with a higher, fairer creed;
- I will cease to stand complaining of my ruthless neighbor's greed;
- I will cease to sit repining while my duty's call is clear;
- I will waste no moment whining, and my heart shall know no fear.
- I will look sometimes about me for the things that merit phrase;
- I will search for hidden beauties that elude the grumbler's gaze;
- I will try to find contentment in the paths that I must tread;
- I will cease to have resentment when another moves ahead.
- I will not be swayed by envy when my rival's strength is shown;
- I will not deny his merit, but I'll strive to prove my own;
- I will try to see the beauty spread before me, rain or shine;
- I will cease to preach your duty and be more concerned with mine.

## In Mineral County



R. W. SPANGLER of Superior, Mineral county's representative in the house, is an ardent sportsman. During the 22nd legislative assembly which has just concluded its sessions, Buddy Spangler was keenly interested in measures concerning conservation and was one of the most active members of the house committee on fish and game. During the winter flight of geese, the picture shown above was taken with R. W. Spangler at the left, little Joanne Spangler, one of the best sportsmen of them all, in the center, and W. J. Fletcher at the right. Six of the geese were killed in the Missouri river November 17 and four on November 19.

clares it is the animal killed by the Great Northern goat in the great historic contest of the Continental divide, shortly after Lewis and Clark oiled the hinges of the Gates of the Mountains in Dave Hilger's marine pasture.

Let confusion arise it might be well to explain that the taxidermist has placed a pair of small antlers on the body of a jackrabbit. Now the story is out.

## Vigilantes of Montana



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## When It's Springtime In the Rockies



**H**ERE'S a specimen of natural art with all the background hues and tints of of the forest primeval and the fawn, nearly grown, in the foreground. Despite the size of the fawn it bears the spots with which it was decorated at birth. It's a splendid bit of wild life photographed by Paul J. Fair.

### TREE DOCTORS OUTLAWED

Quack doctors whose "patients" are trees will be the next surgical fakery to exit under the frown of the law, if the New Jersey Federation of Shade Tree Commission succeeds in securing an act which it hopes will be passed by the next state legislature. Quack tree surgeons who charge exorbitant prices for worthless and often fatal tree treatments have been victimizing the owners of forest, fruit and shade trees in New Jersey for years.

It is told of an imposter who worked through the state last year, claiming to be able to inoculate trees against all disease infestations and insect scourges, in the same manner that persons are inoculated against typhoid fever. The injections killed the trees which he "treated"—but not before he collected \$30 for each tree. The act would require every tree surgeon to pass an examination before a state tree protection board.

### PAYS DEBT WITH TREES

A citizen of New York state is still paying off one of the strangest Christmas debts recorded. When charged by an officer of the state conservation department with cutting down nine evergreen trees on forest preserve land to sell as Christmas decoration, he was fined the customary penalty of \$10 for each tree. But unable to pay the fine, he begged to be permitted to work out his penalty by replacing the nine trees with 1,000 more.

Under this agreement, the offender is now busy repaying his debt to the scenic beauty of the state by planting 1,000 balsams where nine grew before.

### WISCONSIN HAS 25 HATCHERIES

Swimming end to end, the fish distributed last year from the hatcheries of Wisconsin alone for restocking purposes would stretch from Boston across the seas to Singapore, before more than two-thirds of the fish had had a chance to leave the home waters. This estimate was reported by the Wisconsin Conservation Commission to the American Game Association in a summary of its fisheries achievements. From the state's 25 hatcheries it distributed more than 300,000,000 "fingerlings" fish of various species, including native food varieties. But as its greatest triumph the department listed the distribution of 90,000 adult brook trout, large enough to catch next season, and old enough to spawn this winter.

"Willie, where's Johnnie?"  
"If the ice is as thick as he thinks it is, he's skating, but if it's as thin as I think it is, he's swimming."

## The Sportsman

When you stop a week at the best hotel,  
And stay within sound of the dinner bell  
With a can of worms and a bamboo stick.  
You catch 59 perch and 12 blue gills quick  
You're a fisherman—Yes, Sir—You're a fisherman.

When you get up at dawn with a box of grub  
And a lot of minnows in a tub,  
And you fill the boat as the swift hours pass  
With a lot of crappie and several bass,  
You're an angler—Yes, Sir—You're an angler.

When you strike the lake when the fishing's bad,  
And there's not a single fish to be had.  
You land a half-pounder and throw him back in,  
And return at night with a happy grin,  
You're a sportsman—Yes, Sir—You're a sportsman.

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## THE MONTANA HARDWARE

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Why Build Bird Houses?

THERE are several answers to the question—any one of them is sufficient for the trifling cost to us. The birds that accept this proffered hospitality are always ready and willing to make repayment to us either in song, service or flashing form of beauty. The plaintive call of the blue-bird, the diligent chatter of the wren, the early morning warble of the martin and the evening angelus of the robin strike a most welcome note of harmony in the increasing din of civilization.

They are a vigilant police force, working hard to free our lawns, gardens, shrubs and trees of innumerable insect pests; true enough, the robin, when thirsty, will occasionally help himself to a berry or two, but what's a berry or two between friends?

To the shut-in, to growing children first beginning to note the mysteries of nature, what is of more interest than the swift development of a pearl-like egg into the feathered flashing jewel that will travel thousands of miles in a few months, only to return next spring to enjoy the hospitality of its birth-place?

In tempting these birds to make their home with us there are a few fundamental rules to be followed in connection with the making and placing of bird-houses.

They must be easily opened in order that last year's nest may be cleaned out and also the nests of that pesky gamin, the English sparrow. This bird is noisy, quarrelsome, filthy and our native birds will not associate with this shanty type of fellow-being.

They should be placed away from shrubbery and trees which would make approach by their deadly enemy, the house cat, easier. If poles or posts are used, they should be guarded by pieces of tin. The only cat that will not kill birds, except a dead cat, is the cat that cannot possibly get his claws on one.

Bird-houses should have entrances which do not face the direction of prevailing storms, and should be provided with ventilation so that the young birds are not over-heated during an excessive warm spell.

The entrances should be protected from driving rains, and the entrance hole bored with an upward slant so that, if rain should drive in, it would be drained out of, and not into, the nest cavity.

Birds have no particular color sense—a gaudily-painted house will have no appeal to them. Good white paint is best for an exposed house, it will reflect back the intense heat rays of the bright sun; in sheltered places a dark stain will do nicely.

Entrance perches are unnecessary except possibly in wren houses; lack of them has a tendency to discourage English sparrows from usurping them.

Do not put windows in a bird-house—it is a useless waste of time.

Always put the entrance hole at or near the top of the cavity—otherwise the nestling may crawl out prematurely and fall out of the nest to certain death.

ARMY AND NAVY FOREVER

The company commander told a private to watch his horse. The gallant steed galloped over a hill and out of sight. "I thought I ordered you to watch that horse," thundered the company commander. "Sir," said the private, "I watched it as far as I could see it." Such traditions must be preserved.

Out Fishin'

WHEN brethren of the rod and reel

Go fishin'.

Somehow friendships seem to seal While fishin'.

With fish a fryin' in the pan One look beneath the coat of tan Reveals that best that's in the man That's fishin'.

One need be neither rich nor great For fishin'.

His catch depends upon his bait, While fishin'.

He's apt to lose all thoughts of care, His troubles vanish in thin air, Make him an optimist for fair While fishin'.

The year ahead is one of strife And fishin'.

You'll have to labor for your life But fishin'.

Supplements your work—a dole That paves the way to every goal; It renews courage in your soul. Go fishin'.

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# MONTANA WILD LIFE



## GOOD SPORTSMANSHIP

**W.** PAUL HAHN of Townsend sends an interesting communication to the Editor of MONTANA WILD LIFE outlining good work being done by Fred Jorgenson, well known Helena sportsman, chef at the Montana club. He writes:

"In 1929 Fred Jorgenson, well known Helena sportsman, put out wheat, corn and peas during the duck season. In 1930 he started to feed the ducks in August and continued to feed them all through the season. He has fed them continually since the first of the year when feed of natural qualities is scarce and is now making plans for feeding the ducks all year around. I have personally seen 350 mallards on this feeding ground at one time. More sportsmen should be encouraged to put out duck feed."

Poverty is a grindstone on which many wits are sharpened.

Strong Men—Atlas, Samson, Hercules, Sandow, the guy in vaudeville who tears phone books, and the gas station attendant who puts the cap back on the gas tank of your car.

## RABBIT FOOT LUCK DOESN'T MEAN EARS

**I**F the traditional good luck qualities in a rabbit's left hind foot extends to the ears, Miss Lena Brand, deputy county auditor of Red Bluffs, Calif., sees no evidence of it. A bounty of eight cents having been placed on bunny's head in that section, because of his alleged depredations to orchards, Miss Brand's chief job for weeks has been the counting of hundreds of pairs of rabbit ears. Yet her plea to the inventive genius of the country for a rabbit-ear counting machine has so far gone unanswered.

The Master angled, but did not fish with a net. He shot, but not at birds sitting.

—Sayings of Confucius (596 B. C.)

## COYOTES DODGE TEXANS' ROPES

**T**EXANS who boast of their ability to rope and herd anything on four legs may now limit that boast to anything without a bushy tail and the yap-yap of a coyote. Five hundred Texans recently joined in a first annual coyote roundup on Padre Island in South Texas, while 1,000 onlookers and several movie newsreel photographers watched to see the wily coyotes herded into a large pen and duly roped. But they watched and watched, and saw no roping. The coyotes refused to be driven, though an estimated 26 were slain.

Some people have tact, others tell the truth.

Si Plunkard's dog, Bounce, is a wonder. He sub-consequently treed three possums Friday while having a running fit.—Ozark Life.

## SWIFTWATER BILL'S "GREAT SNAKES"

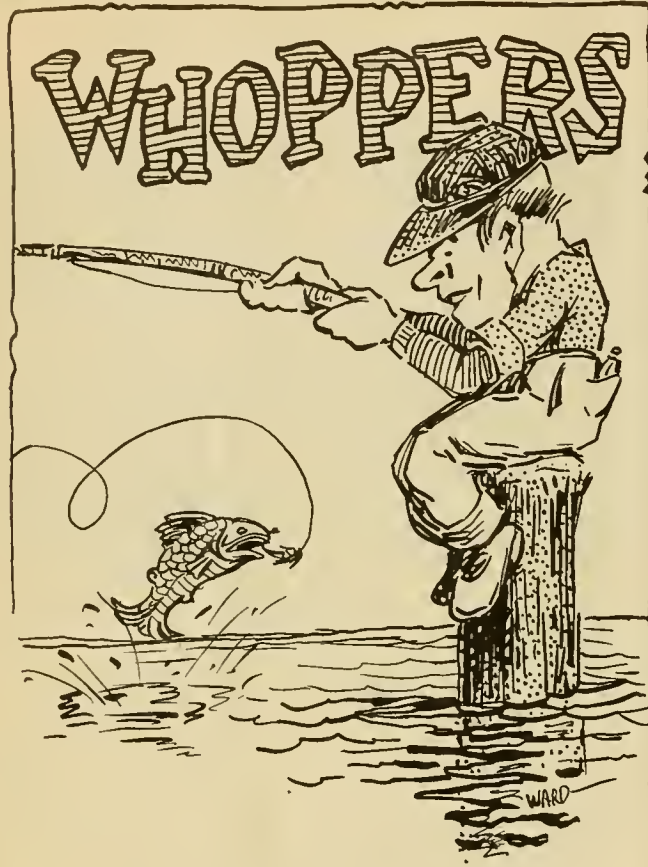
By J. J. Meany

**S**WIFT Water Bill's account of a highway, 10 miles long, being built on the back of a sleepy snake, has caused a curious sportsman to write and inquire as to the length of the entire snake. The tone of his letter would imply that he was inclined to doubt Swift Water Bill's statement that there ever was a snake so large or one so sleepy as to permit a roadway to be built on his back.

If there is anything that gets under Swift Water Bill's hide, it is to have someone question the truth of any statement he has made.

When this question was submitted to him he took it under careful consideration, filled up his pipe and started a volume of smoke skyward which resembled a locomotive pulling the North Coast Limited over the Evoro hill. He tore a piece of wrapping paper off a slab of bacon, and with the stub of a lead pencil, started to "figger."

After almost an hour of hard "figgerin'" he said: "Wall, sir! I can't tell yer how long that snake wuz. Yu' see that road wuz built crossways on his back, not lengthways, so its kinda' hard tu say just how long he wuz. But judgin' from other snakes I saw, while I wuz in that country, I'd say he wuz a medium sized snake."



## TROUBLES OF A GAME WARDEN

**T**RIBULATIONS which beset a deputy game warden every day in the year seem constantly growing heavier than most men are willing to bear, but Assistant Game Warden J. W. Carney, in his constant quest for funds belonging to the department, received a staggering letter a few days ago. In many cases justices of the peace to whom fines are paid by law violators, have poor memories and neglect turning in the cash. Then their memories must be jogged. Inasmuch as the gentleman involved in this story is a perfectly good newspaperman, well known at the offices of the Hardin Tribune-Herald, in Big Horn county, it is well that his name be guarded. The letter is self-explanatory, except for the question as to why any newspaperman is entitled to more than one coat.

"I was surprised to receive yours of the 6th inst. calling my attention to a case in justice court of July 12, 1930, wherein one Joe Montes was charged with wrongful possession of firearms, he being an alien. The case was brought to me by Charles W. Hutton, deputy game warden, out of court hours. In fact, as I recall it now, it was late in the evening. I placed the papers in my coat pocket and went home, where I changed coats and would not have thought of the papers now, had it not been that your letter caused me to make a search. Of course, I should have eventually ran across them. However, I have entered the case in my docket, using an extra sheet from the back of the docket, making the number of the case 10 1/2. Herewith is my check for \$25 covering the fine. Please send me a receipt so that I may paste it in my docket."

What women really need are wrist watches that will run and hosiery that won't.

Th' hardest thing is t' disguise your feelin's when you put a lot o' relatives in th' train fer home.—Abe Martin.

Scientists are endeavoring to split the atom. They should send it through the post marked "fragile."

The only advantage we can see to living in London is you would get your ten-dollar pipes for five dollars.