FOREST AND STREAM.

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NEW YORK, JUNE 9, 1892.

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NEW YORK'S OPPORTUNITY.

AT a meeting of the New York State Association for the Protection of Fish and Game in Syracuse next Monday evening, the committee appointed at the February convention will report; and a plan will be submitted for enlarging the activities of the Association and making it more efficient as a game fish protective body. This may be made a turning point in the Association's history. It is hoped that clubs will send not only strong teams for the tournament competitions, but delegates as well who are interested in this branch of the Association's work, and who will give it due consideration.

This opportunity for more effective organization and renewed devotion to the original purposes of the Association should be improved to the utmost.

COLD STORAGE OF GAME.

THE game dealers, refrigerating concerns and other interested parties in this city are to have a meeting to take action respecting the defense of the New York Refrigerating Company in the suit against it for having in possession game in close season.

Aside from the question of the refrigerating company's liability as warehousers of game belonging to other people, the points involved have already been passed upon in this State and elsewhere, and the law has been upheld. The ruling decision in New York is that of the Phelps-Racey case. As President of the New York Association Racey case. As President of the New York Association for the Protection of Game, Royal Phelps brought suit against Joseph H. Racey, a game dealer of this city, to recover penalties for violations of the game law. The three counts were: (1) possession and exposure for sale of quail in close time, (2) possession and exposure for sale of pinnated grouse in close time, and (3) possession of quail in close time. The defendant admitted the allegations of the complaint, but it was alleged as a defense that the defendant had invented an apparatus to preserve game, and that the game specified in the complaint was game, and that the game specified in the complaint was put up by him in such apparatus in the month of December, when the killing of it in this State was not prohibited, or it was received from the States of Minnesota and Illinois, where the killing was at the time legal.

The General Term found for the plaintiff on the first

and second counts, and for the defendant on the third count. Both sides appealed to the Special Term and then to the Court of Appeals, where the counsel for the defense contended that the statute was invalid, since it was a regulation of internal commerce affecting other States and was unconstitutional. The Court of Appeals (Church, Ch. J.) held: That the prohibition of the sale or possession of game in the period specified was plain and unambiguous; that "the fact that the defendant had

period to another is not provided for in the act, and is immaterial;" that the Legislature had power to pass the act, which is not in conflict with the State Constitution, nor in violation of the provision of the Constitution of the United States authorizing Congress to regulate commerce among the States.

This decision was rendered in 1875. The terms of the law of that date were in effect identical with those of the present statute. The decision in the Phelps-Racey case has heretofore been accepted as final, and game dealers have not contested the law forbidding sale or possession in close season.

MUZZLE VS. BREECH.

The offer of the Syracuse Rifle Club to give opportunity for a test under certain conditions of the accuracy of the muzzleloading rifle as compared with the breechloading arm is intended to bring to a settlement this much-talked-of question of exactness in placing the bul-

Suppose the muzzleloaders come out ahead, what then? It will not make one hunter the more fling aside his handy breechloader and take out a muzzleloader with all its paraphernalia of ammunition. The various boards on the lookout for the best military rifle would not be influenced in the smallest degree by the fact that ten or a dozen shots from a heavy muzzleloader made a string a few inches shorter than the same number of shots from a breech arm. In every branch of small-arm work there are a number of factors which go to make up the concluding decision as to the best arm. Accuracy is one, and an important one; safety is another, and a vital one. Convenience comes in for much consideration; price is to be considered. This test at Syracuse keeps an eye simply to the one point of accuracy. To many devotees of the rifle at the ranges this is the one great point always in regard. Everything has been sacrificed to it, and for a fraction of an inch on a string no care or labor is regarded as too great for these target enthusiasts. have been extravagant claims made on both sides regarding this one point of accuracy. To put a quietus on some of this talk the Syracuse shoot ought to go through, but win or lose, the breechloader is the arm of the future, and the student of the art of shooting does best service by improving the breechloader in every detail.

RESULTS OF THE SALMON ANGLERS' PETITION.

THE salmon anglers' petition was presented to the Canadian Minister of Marine and Fisheries on May 13, No written reply has yet been made, but the Honorable Mr. Tupper's attitude and reception of the arguments of the counsel to whom Mr. Blanchard intrusted the conduct of the petition were very satisfactory.

was admitted that the continuous decline in the catch of salmon is a matter of grave concern and can only be met by keeping up free access to the spawning beds for a sufficient stock of breeding fish. That the commercial interests of Canada and the special interests of anglers and riparian proprietors are identical in this respect, is evidently the view of the Department. It is satisfactory to learn that the questions involved have been and are really occupying the Minister's most serious consideration. In dealing with them his hands will be materially strengthened by the information and statistics doubt of Mr. Tupper's willingness to meet the petitioners views so far as possible. At the same time, as was pointed out by him, there are many difficulties, both of a practical and a political nature, which require close consideration and time to settle.

At all events whether the nets are ultimately to be lifted three times a week or not, one great point has been gained. The existing regulations as to the observance of the Saturday to Monday close time, and as to the nature and location of estuary nets are to be strictly enforced. Mr. Tupper also hopes to accomplish a good deal in the way of limiting the number and extent of these nets.

The fault hitherto has not been so much in the character of the regulations as in their being disregarded and evaded by the netters. If they are made operative, and supplemented by a strict supervision on the part of the riparian owners, the good result which must be an immediate outcome will not only strengthen the anglers' case in the event of further restrictions on the nets being still found necessary, but will probably convince the netthem directly and much more in proportion than the anglers.

The results secured may be considered fairly satisfactory for the present, in view of the selfish course pursued

by the committee from the Restigouche Club.

The anglers owe a debt of gratitude to Mr. Lash, Q. C., and Mr. Creighton, the clerk of the Senate, retained as counsel by Mr. Blanchard, for their able presentation of the case. The labor involved in Mr. Creighton's examination and collocation of statistics was thoroughly and efficiently performed; his array of facts and figures conclusively showed the necessity of taking immediate steps to prevent further needless and improvident destruction of the salmon. It is a pleasure to recognize also the active and efficient co-operation of Mr. James Grant, President of the St. Marguerite Salmon Club. All those named and others have done material service in forwarding the petition set on foot by Mr. D. H. Blanchard of Boston. It was by the unselfish devotion of time and money and effort by Mr. Blanchard that this movement for salmon preservation was put through; and to him must be given a generous share of credit and gratitude for what has been accomplished.

FISHERIES ON THE GREAT LAKES.

MR. HERSCHEL WHITAKER has given a very interesting sketch of the early history of the fisheries on the Great Lakes, drawn from the accounts of Hennepin, Capt. John Carver, George Heriot, Henry R. Schoolcraft, Blois and other authors. The marvelous abundance of whitefish, lake trout, lake herring, sturgeon, pike and similar fishes is clearly set forth, and the statistics of the fisheries as far as known, are briefly recounted from 1830 to 1885.

A notable decline of the fishing industry since the introduction of the trap net is chronicled by Mr. Whitaker. This net was introduced about 1850, and its extension into deep water was followed by enormous captures of adult fish, as well as by the extensive destruction of immature fish, which have little or no commercial value. To quote from the author: "The result of this system of fishing is most destructive, tons upon tons of fish being thus taken which have never spawned, whereas if they were permitted to remain in the water to reproduce their

kind, artificial methods would be greatly aided."

The introduction of freezing apparatus for the preservation of fish, though unpopular at first, has gradually grown in favor, and has greatly improved and extended the industry. Indirectly it serves to protect the fish by making it possible to carry on the fishing in nearly every month of the year, thus relieving the strain upon the pawning fish.

To arrest the waste of fish and restore the supply, Mr. Whitaker would stock the waters liberally and provide for the enforcement of just protective laws, preventing the taking and marketing of immature fish. He finds the fresent warden system imperfect in most cases, because the pay of the officers is not sure and fixed, and would follow in this respect the State of New York, which, he says, has the best warden law of any State in the Union. In conclusion he advocates a general awakening of the Lake States to the necessity of action for the maintenance and future increase of their fisheries.

SALE OF REARED TROUT IN CLOSE TIME.

THE article of Mr. W. L. Gilbert, which we publish on another page, is a fair presentation of the private fishculturists' view concerning the sale of brook trout during the close season for wild trout. The writer observes, justly, that the successful cultivation of trout has passed beyond the experimental stage, and that the industry is capable of great extension, provided the fish can be sold from Jan. 15 to April 1, when the demand for them is largely increased owing to the scarcity of choice food fish of other kinds. There is no doubt also that large tracts of land and water, which are now lying waste, could be redeemed and made valuable for trout cultivation if the laws of several States could be changed so as to allow private parties to sell fish when and how they pleased.

The law framed by Mr. Gilbert, and intended to accomplish the objects desired by himself and other fishculturists, passed both branches of the Legislature of Massa-chusetts, but was vetoed last week by Governor Russell, and, we think, with justice.

and unambiguous; that "the fact that the defendant had invented a process of keeping game from one lawful ters themselves that nothing is asked that does not benefit during the close season for wild trout will open the way

for the illegal sale of the latter, as we have frequently pointed out in our columns, and the legitimate outcome of such traffic would be the depletion of streams in which the great public is most interested, and this for the benefit of only a few trout breeders. Throw around the brook trout all the safeguards which the law can give it and its struggle for existence will still be a severe one. The steady onward march of civilization, with its increased demand for fish and with its ever-growing pollution of waters and consequent restriction of spawning grounds, will sufficiently limit, and we fear too seriously limit, the increase of trout and salmon. Let us then not still further endanger the future of these noble fishes by encouraging their sale during the season of spawning and development of the eggs.

SNAP SHOTS.

THE great American showman was so well known that foreign letters addressed to "P. T. Barnum, America," used to reach him without delay. Forest and Stream has become so much of an institution in the West that a Colorado letter addressed simply "FOREST AND STREAM, Chicago, Ill.," finds its way promptly into the hands of our Western representative. This speaks well for our growing fame and is gratifying, but correspondents who may desire early attention will do well to send to the home office, 318 Broadway, New York.

The big seizure of illegal game in a storage ice house, which has brought Game Protector Robert Brown, Jr., of the first district, into such prominence, is by no means the first important action of that officer in the pursuance of his duties. In the summer of 1890 Protector Brown accomplished the arrest and secured the conviction of 107 "bunker fishermen" who were taking menhaden on Raritan Bay contrary to the law. Among these were six captains of vessels who were fined \$100 apiece.

It is said that there are in New England, in round numbers, 400,000 French Canadians. But there is only one pen that can delineate the Canuck as he canucks; that is the pen of Rowland E. Robinson, the author of "Uncle 'Lisha's Shop" and the creator of Autoine Bissette.

Hatunal History.

DOES THE RATTLESNAKE SPIT?

DOES THE RATTLESNAKE SPIT?

Editor Forest and Stream:

Do snakes spit venom? I think not, Prof. Cope to the contrary notwithstanding. Does the rattlesnake, in coil, awaiting an opportunity to strike, hold his mouth open and fangs erect, dripping poisonous saliva, which by forcible expiration of air from the lungs is spat out at his enemy? I think not, unless on very rare occasions. Thave seen rattlers in coil, and seen them strike from coil very often, but never saw one holding its mouth open, with erect fangs, dripping poisonous saliva. That which I have considered most remarkable in this reptile is the lightning-like suddenness and celerity of its stroke. The juws are separated, the fangs erected and the stroke delivered with such celerity as to render it difficult for the eye to follow the movement or take in what has happened. This suddenness and celerity of the stroke seems to me to be a very dangerous characteristic. It is so unexpected in a reptile so slow and apparently torpid in its general movements. It is certain that not a few persons have lost their lives by striking at a rattler in coil with too short a weapon, the snake dodging the blow with astonishing quickness and at the same instant striking back at the assailant with deadly effect. I have never seen the rattlesnake eject its venom, but I have seen the copperhead do it repeatedly, but not by spitting or expectorating it. The ejection takes place when the snake strikes ineffectually at an object beyond its reach and is literally a wholly involuntary thing. The venom may be thrown as much as two or three feet as the result of the ineffectual stroke. I do not undertake to say (Latwhat Prof. Cope states has not happened, but I f¹⁶ say it does not happen as a rule, with either the common: mountain species or the diamond rattler of the South. To me the statement of poisonous saliva dripping from the fangs of an open-moutled rattler seems incomprehensible. The saliva of a snake is not poisonous; it is extremely viscid and will not drip any nore th

out his "poisonous saliva" his bite would be almost certainly fatal. According to information personally collected by me of a number of persons who have themselves recovered or known others to recover from the bites of the mountain rattler, I believe its bite is much less deadly than has been generally supposed.

WOODSTOCK, Md. M. G. ELLZEY, M.D.

Editor Forest and Stream:

In response to the request made in your last issue for the views of correspondents as to the cause or exact process of the "spitting" of the rattlesnake and other venomous serpents, I give here the views of Prof. S. Weir Mitchell, whose careful experiments entitle his opinions to great weight. Describing the striking of these reptiles he says: The snake "throws himself into a spiral, and about one-third of his length, carrying the head, rises from the coil and stands upright. * * * Then his head and neck are thrown far back, his mouth is opened very wide, the fangs heldfirmly erect, and * * * he strikes. The blow is a stab and is given by throwing the head forward while the half-coils below it are straightened out. * * * As they (the fangs) enter the temporal muscle closes the lower jaw on the part struck and forces the sharp fang deeper in. At this moment the poison duct is opened by the relaxation of the muscle which surrounds it and the same muscle which shuts the jaw squeezes the gland and drives the venom through the duct and hollow fang into the bitten part. In so complicated a series of acts there is often a failure. The tooth strikes on tough skin and doubles back or fails to enter, or the serpent misjudges distance and falls short and may squirt the venom 4 or 5 t. in the air in so doing."

LA GRANGE, Ky., May 30.

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THE CLASS IN NATURAL HISTORY.

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PERSONÆ.—Tom. Dick, Harry, S. M. E., and the Editor of Forest and Stream as Teacher.

The class, in place for rectation. The uplifted hand of S. M. E. is observed.

Teacher.—E., what's wanted?

E.—Please, sir, will you explain this occurrence? Last fall, while in Tenderfoot Cañon, Belt Mountains, the dog flushed a ruffed grouse, its whir was distinctly heard, making its way down the cañon. I was walking ahead of our party with two rifles and a shotgun on my shoulder (we were moving camp) when I saw the grouse on a tree some 30yds, away, facing me, tiptoeing on a limb, its neck erect, the whole looking like a brown streak set up as a study; he was quickly covered with the shotgun. Then, thinking of a new Lyman peep on the 45 90, the shotgun was laid down and the rifle picked up; this was in its canvas case, and before it could be taken out the bird flew directly toward me and about 10ft, from the ground, its eyes being on me all the time.

Standing perfectly motionless, as it drew near I raised my open right hand, expecting it to swerve to one side. To my surprise, it came full force against my outstretched hand, forcing it out of the way without the slightest apparent effort and passing on into and beyond a thicket in the rear.

Query.—What prompted its action; was it fear, anger, or curiosity? The chances are it had never been fired at or hunted before.

Another queer incident:

slightest apparent control at thicket in the rear.

Query.—What prompted its action; was it fear, anger, or curiosity? The chances are it had never been fired at or hunted before.

Another queer incident:

In driving along a grade on a mountain side my pointers put up a jack rabbit some 300 yards away and below us. The rabbit ran (or flew) up the mountain side until striking the grade. My companion was walking ahead of the team some thirty yards and seeing the rabbit approach in the trail he stopped, then lay down in the road; the rabbit came on and ran squarely over him, as did the dog also, neither of them changing their course the slightest, except to swerve out a foot or so to pass the team and wagon. I, in the meantime, yelling with laughter and encouraging the dog in his efforts to catch "long legs and ears." He didn't catch him, all the same. I can understand the action of the rabbit, but have Tom, Dick, Harry or Prof. Editor any reasonable explanation of the action of the grouse, or a similar case to report?

S. M. E.

GREAT FALLS, Mont.

KEEP A NOTEBOOK.

KEEP A NOTEBOOK.

The sportsman who shoots for pleasure, rather than for a big record, picks up many interesting bits of natural history lore that others pass by unbeeded. Being careless or lazy they often fail to record these little scraps of personal observation and so much valuable knowledge and many interesting and amusing incidents are lost. Here is an example: Mr. C. B. Holden of Worcester, Mass., a veteran sportsman, and trap-shooter, while passing to and from his house, noticed underneath a pear tree a large pile of pear cores and pieces of pear, apporently bitten off or as the boys would call them "chankins," Being a careful student of all things pertaining to nature, Mr. Holden decided to investigate and discover if possible what sort of creature went to the trouble of depositing the bits of pear all in a pile.

Taking his stand near the tree one day, after watching quietly for some time he detected a movement among the top branches of the pear tree, and soon saw a red squirrel bite off a pear and carry it to a larger limb near the ground, where he proceeded to nibble away at the pear, dropping the pieces to the ground till he came to the seeds, which he quickly extracted and ate, dropping the remainder of the pear on the pile, and immediately returning to the top of the tree for another pear, which he gnawed to pieces in the same manner. This was repeated several times, the squirrel returning slawys to the same spot on that particular limb to do his eating. This accounted for the remarkably large pile of "chewed pear,"

Nothing remarkable in it to be sure, but stored away

pear."

Nothing remarkable in it to be sure, but stored away in the minds of our observant sportsmen are thousands of such little bits of knowledge acquired through personal research during their many days spent in the woods and felder.

And these little things that escape the majority of sportsmen, are the very things that make up the valuable fund of reminiscence, so pleasing to draw upon when a few congenial spirits are thrown together about the camp fire at the lunch on the bank of some trout stream.

HAL.

Game Bag and Gun.

New Editions: The Gun and its Development, \$2.50. The Modern Shotgun, \$1. For sale at this office.

"PODGERS'S" COMMENTARIES.

REFERRING to your remarks in last issue of FOREST AND STREAM on the subject of the destruction of birds for their feathers, which fashion has decreed shall adorn women's hats, you draw it mild in your estimate of the number of birds that are destroyed and used for this pur-

pose.

I have personal knowledge that one party sent out South by dealers in millinery killed more than fifty thousand birds.

I have personal knowledge that one party sent out South by dealers in millinery killed more than fifty thousand birds.

It would naturally be supposed that women with their presumed tenderness of heart toward birds would rise in revolt against a fashion that led to such cruel work, but it is about as useless to undertake to enlist their sympathies in any cause that conflicts with fashion as to blow against the wind. They will shed tears in sympathy, but take one feather out of a love of a bonnet? not much! and the man don't live that can make any woman do it, nor can he make her change the style of wearing her hair if she is conforming to the fashion. She will make any sacrifices, leave parents, home, friends and share poverty with the man she loves, but if he wants to try the extent of his influence on her, let him ask her to wear her hair some other way, that may be much more becoming, although possibly not the style at the moment. Do you think she will do it? Just try it on and see. What a lamentable failure all your boasted influence will be, and how small you will sing at her positive refusal to change one hair, and it is pretty much so as regards a hat or bonnet. So you see how futile it is to attempt any reform in the question of wearing birds and birds' feathers. The only thing that can save the birds from almost utter annihilation is a change of fashion, pray for that: even though the prayer of the wicked availeth not. What are the flats of kings and emperors to the arbitrary ruling of a fashion? In old times, perhaps, such a thing might have been, but that was before women knew their power. They were humble creatures then, meek and lowly, but now? "Things is different," Can't come any such game over them in these days. They are playing the first violin and man comes in a poor second. The noral of it all is that as long as it is the fashion to wear feathers in hats they won't abate a bird to save your life nor the birds' lives, and we will have to do as we are always obliged to do in such an unequal co

Bears and bear stories having gone out for the present from FOREST AND STREAM legends. I see that snakes have the floor. I think I prefer to go back to the bear and will agree to enter no protest hereafter against bruin if you will let up on snakes. They are uncanny. By the way, the annual sea serpent stories are due. The season is "in," and the watering places must hustle and be getting the proverbial old reliable ship captain down to business. Let us hear from him.

I am greatly obliged to your correspondent "Pigarth" for the information he supplies as to the existence of that elysium, which I and doubtless many others have been seeking, and I am glad to know it does exist and is so easily reached, and I shall advocate that he share in the honors awarded to Columbus for the discovery. I am equally under obligations for the bringing to my attention by your Port Jefferson correspondent of still another place where the blazer young man or the athletic young woman prevaileth not, and I have made a memorandum in the notebook of my memory of these two places. It is late for the Chincoteague locality, the bird season being over, but next fall will see me there. The other place, however, is nearer and in season and I shall make a desperate effort to avail myself of the joys that good fishing and sailing bring to a mind diseased and a brain that is weary with the din, dust and heat of the great city. To both of these gentlemen I give "much thanks."

The suggestion by your correspondent "Rogers," that the way the deer with the big antlers got through the forest was by pulling them in, is not a bad solution of the question and is accepted, and which suggests that the "pull" the politicians have in these days is no mero string after all, although the politician is not so much given to pulling in his horns as "taking" them in.

There seems to be a wide difference of opinion as to the relative merits, so far as danger of accidents is con-cerned, between the old style half-cock and rebounding

cerned, between the old style half-cock and rebounding lock question.

If all men were of one mind there would be no object in any deviation from one fixed rule once accepted; but it so happens that scarcely any two think alike, fortunately for mechanical genius and enterprise.

The real gist of the thing is that accidents will happen with the best regulated locks. It is not so much the fault of the locks as of the people who use them; and when we think of the great number of inexperienced men who never should own a gun and the proverbial man who "did not know it was loaded," and other multitudinous and multifarious careless gunners, the wonder is that there are not ten times the number of accidents. The locks are nearer right than the people who use them. The gun-lock or man is yet to be invented that won't now and then go off at half cock anyway you can fix it —or them.

"C. H. M." writes of fishing in a stream in Pennsylvania called Wopwallopen. Great Scott! what a name for a creek. How can any right-minded trout consent to live in a stream with such a name.

The names of some of the lakes and streams in Maine are bad enough—so bad that a man can hardly reconcile himself to fish in them, and the growing scarcity of fish in the waters with such jaw-breaking names is owing doubtless to the disgust of the fish themselves. The names did very well when the "noble red" inhabited the country. They could forgive it in him for giving out such names as he knew no better, but in these enlightened days the fish expect better things than Wopwallopen! Perhaps the trout bit so well in sheer desperation in their