

SUPPLEMENT.

REPORT OF THE A. O. U. COMMITTEE ON THE PROTECTION OF NORTH AMERICAN BIRDS FOR THE YEAR 1903.

BY WILLIAM DUTCHER, CHAIRMAN.

Plates XII-XVIII.

THE Audubon Societies and the generous subscribers to the Thayer Fund have every reason to congratulate themselves upon the steady progress of bird protection work in the United States during the past twelve months. The present outlook of the work is like the intermittent notes of birds before the break of day, or the first gleam of Heaven's amber in the eastern gray; if those who are now working may not see the full meridian sunlight yet the results of 1903 are an earnest of what we hope may be accomplished in the next decade. After all, it is honest love for our work, honest sorrow for the ills which we see about us in the bird world, honest work for the day that is present with us, and honest hope for to-morrow that must govern our actions. When we rise above the sordidness that so often hinders spiritual work, and learn to believe that it is better sometimes to invest in deeds of mercy to God's helpless creatures than it is to invest in the best of securities, we will find that our works of love are better paying investments and will bring us in something far higher and nobler. Our labors will go forth to bless our country and make the world about us fairer and better; in addition it will react and make ourselves not only happier but better, as we will realize that unselfish work is far better than work for personal display or self aggrandizement.

The year's results have been so full of interest, have developed so rapidly, and bid so fair to develop more rapidly in the future, that it becomes necessary to make a very detailed report under the head of each Commonwealth; this is done in order that each society may have a general idea of what each other society is doing, and thus the strong, aggressive bodies become an example and lesson to those that are not so successful; new ideas of work are

also thus suggested. In this connection the work of the North Carolina Society, in securing funds from their sustaining members, is certainly commendable and is an object lesson of the greatest force to other societies who complain of the difficulty in securing funds for their work. If in a State that is comparatively poor, 331 sustaining members can be secured for the asking, what would be the result of the same effort in the more wealthy and thickly settled States?

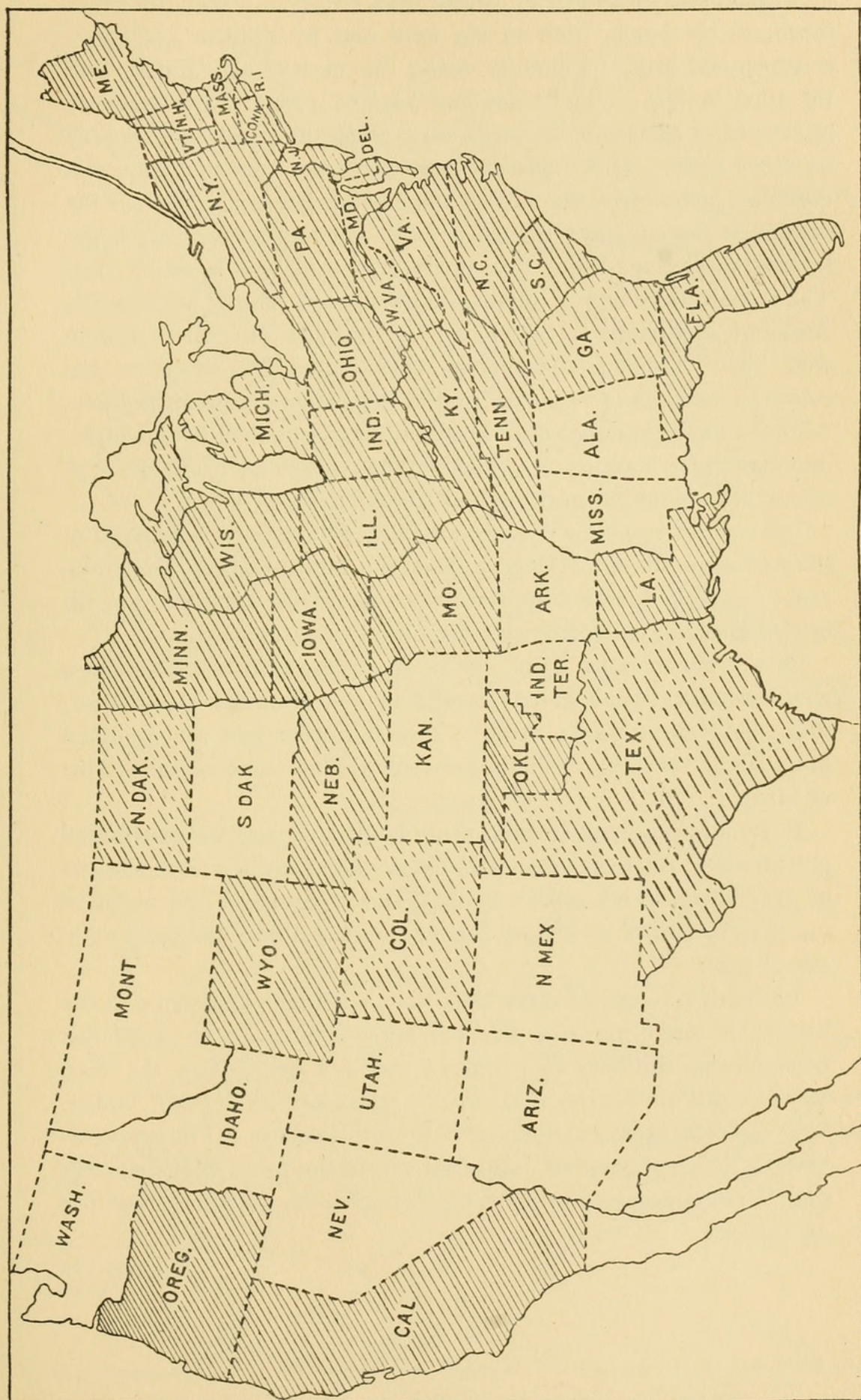
The activities of the past year have been confined to three channels, as heretofore: Legislation, Warden Work, and Audubon or Educational Work. The legislative branch has been particularly successful, inasmuch as the A. O. U. model law has been adopted in nine States, as follows: Virginia, North Carolina, Georgia, Tennessee, Texas, Minnesota, Colorado, Oregon, and Washington (see map).

Besides this, the influence of the National Committee was given to the bettering of the game laws, in stopping spring shooting, preventing sale and transportation of game, and in other directions. In five States we were unsuccessful in our efforts to improve the non-game bird law; the reasons for our failure are given later under the heads of the following States, namely, California, Kansas, Michigan, Missouri, and Oklahoma Territory.

The Warden Work of the year was largely increased over that of previous years and will be still further broadened during the coming year, provided sufficient funds are furnished to enable the National Committee to carry out its present plans.

Audubon and Educational Work go hand in hand and are really the foundation of the great economic movement that is now going on; prohibitive laws and the actual guarding of breeding birds by wardens are important, but unless these are upheld by a moral sentiment in the public mind, the goal that we are aiming at may never be reached:

“Books! ’t is a dull and endless strife:
Come, hear the woodland Linnet,
How sweet his music! on my life,
There’s more of wisdom in it.
And hark! how blithe the Thrush sings!
He, too, is no mean preacher:
Come forth into the light of things,
Let Nature be your teacher.”



MAP SHOWING STATES (SHADED) HAVING AUDUBON SOCIETIES. (SEE DIRECTORY, AT END OF THIS REPORT.)
(Broken lines indicate States in which Societies were first organized in 1903.)

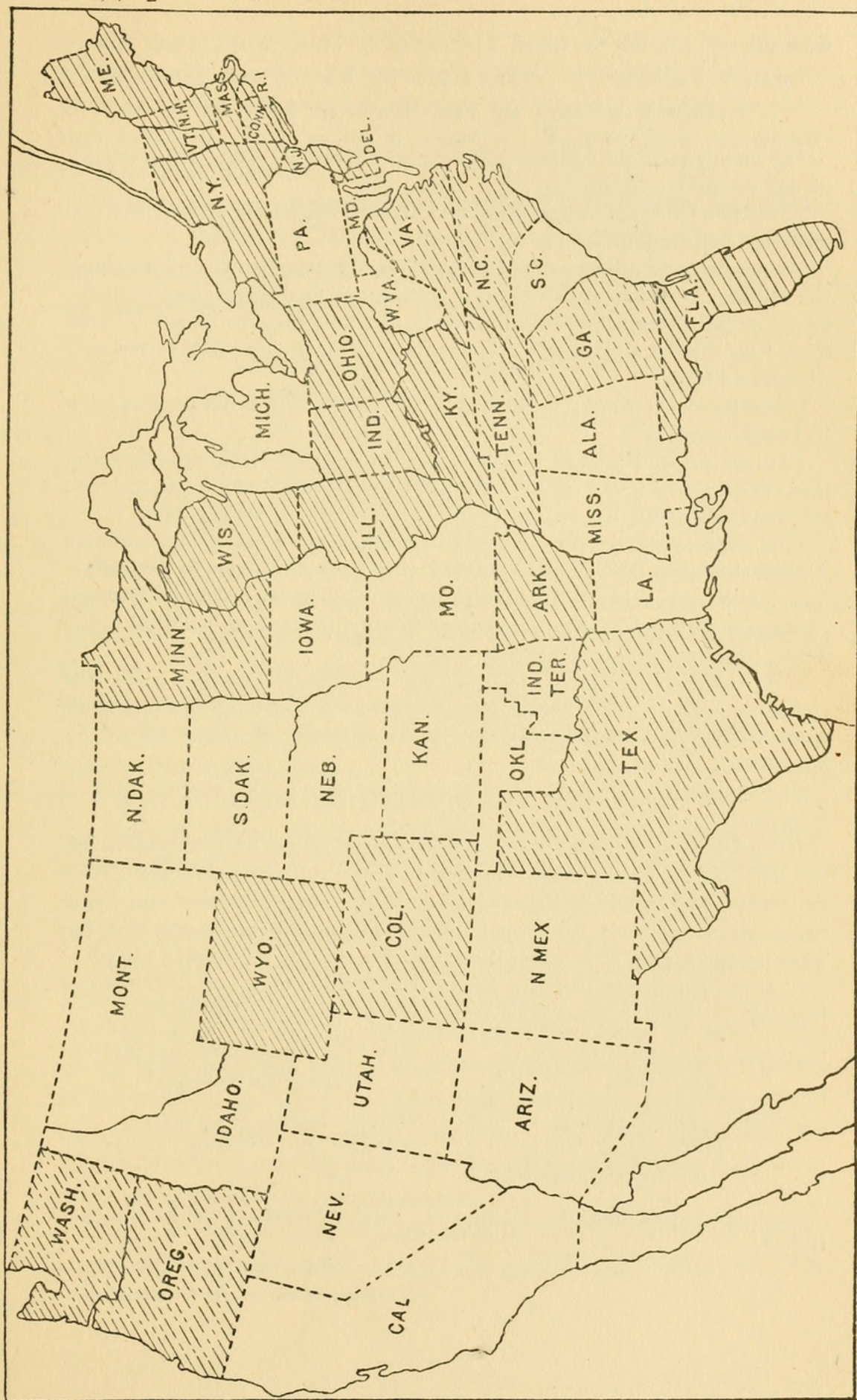
Audubon societies are educating both adults and children; it is teach, teach, teach, both in the field and by libraries, pictures, lectures, and every method to make the masses acquainted with the bird in life. Day by day and year by year there is a steady growth of sentiment in favor of bird protection; this can be seen on every hand. Unfortunately there are a few unsympathetic and doubting people who say all this work is not necessary because the fashion is changing and the use of birds' plumage is not very popular at the present time; this, however, we believe is not a fact. The reason there is less plumage now used is simply because the Audubon sentiment is increasing; it is more difficult to obtain wild birds' plumage; protective laws are being passed in the country; and, as is reported by the Wisconsin Audubon Society, milliners say it is impossible to sell a hat trimmed with wild birds' plumage to the mother of a child who belongs to an Audubon society, or who is taught in the school about birds.

During the year new Audubon societies have been organized in the following States: Michigan, Georgia, North Dakota, and Colorado, and it is found that there is a steady and persistent growth of the Audubon movement in other localities (see map).

One of the greatest gains of the past year in educational lines was the educational leaflets issued by the National Committee; these have been found to fill a long-felt want and are practical methods of teaching not only the æsthetic but the economic value of birds.

It is most unfortunate that these leaflets cannot be distributed gratuitously; requests are made almost daily for them from schools or individuals which cannot be met, and it dampens the ardor of the inquirer when we cannot freely give them our literature without charge.

Probably one of the most important advance movements in the history of bird protection was the agreement made in April last between the Millinery Merchants Protective Association, the New York Audubon Society and the American Ornithologists' Union. This agreement was concurred in by the Western Millinery Association, and has been so widely noticed in the press of the country that it is unnecessary to do more than give the actual text of the agreement.



MAP SHOWING STATES (SHADED) WHICH HAVE ADOPTED THE A. O. U. MODEL LAW.

(Broken lines indicate the States which passed the Law in 1903.)

AGREEMENT BETWEEN THE MEMBERS OF THE MILLINERY MERCHANTS PROTECTIVE ASSOCIATION OF NEW YORK AND THE AUDUBON SOCIETY OF THE STATE OF NEW YORK.

The members of the Millinery Merchants Protective Association hereby pledge themselves as follows :

To abstain from the importation, manufacture, purchase or sale of gulls, terns, grebes, hummingbirds and song birds.

To publish monthly in the Millinery Trade Review a notice informing the millinery trade in general that it is illegal to buy, sell or deal in gulls, terns, grebes, hummingbirds or song birds, and that no means will be spared to convict and punish all persons who continue to deal in the said prohibited birds.

To notify the millinery trade by printed notices as to what plumage can be legally used.

To mail printed notices to all dealers in raw materials, importers and manufacturers of fancy feathers and to the millinery trade in general that all violations of the law will be reported to the proper authorities.

It is further agreed on the part of the Millinery Merchants Protective Association that on and after January 1, 1904, the importation, manufacture, purchase or sale of the plumage of egrets or herons and of American pelicans of any species shall cease, and the said birds shall be added to the list of prohibited species mentioned above.

It is understood and agreed that the restrictions referred to in this agreement as to gulls, terns, grebes, herons and hummingbirds, shall apply to the said birds irrespective of the country in which they may have been killed or captured.

The Audubon Society of New York State on its part hereby agrees as follows :

To endeavor to prevent all illegal interference on the part of game wardens with the millinery trade: to refrain from aiding the passage of any legislation that has for its object restrictions against the importation, manufacture or sale of fancy feathers obtained from domesticated fowls or of the plumage of foreign birds other than those specifically mentioned above.

It is agreed by each of the parties that this contract shall remain in force for a period of three years from the date of its execution.

FOR THE AUDUBON SOCIETY OF
NEW YORK.

FRANK M. CHAPMAN,
*Chairman of the
Executive Committee.*

FOR THE MILLINERY MERCHANTS
PROTECTIVE ASSOCIATION.

GEORGE LEGG, *President,*
CHARLES W. FARMER, *Secretary.*

The above agreement, is concurred in by the American Ornithologists' Union.

WILLIAM DUTCHER,
Chairman Protection Committee.

This agreement, it is believed, is being lived up to by the milliners with very few exceptions, a notable one being the refusal of three firms in New York who are not members of the Association, and who refuse to be governed by the agreement in respect to the use of aigrettes.

The further use of the aigrette in the United States, therefore, becomes a matter of ethics. The women who will not wear the aigrette are upholding every good impulse and are living up to the sentiment expressed by Coleridge :

He prayeth well, who loveth well
Both man and bird and beast.
He prayeth best, who loveth best
All things both great and small;
For the dear God who loveth us,
He made and loveth all.

On the other hand the women who still persist in wearing the aigrette, no matter whether it was secured in this country or any other, does so at the cost of a life taken in the cruellest possible manner. The plume when worn is not an emblem of grace and beauty, but is a badge of cruelty and inhumanity.

The National Committee offers the following suggestions for the work of the coming year :

A decided and energetic effort must be made to prevent the use of automatic guns. Birds and game are disappearing quite rapidly enough by the use of the ordinary shot gun, but if the magazine gun comes into general use, it simply multiplies enormously the present means of destruction.

Every State should be urged to follow the example set by Pennsylvania and Delaware in appointing an Honorary Consulting Ornithologist; he may be connected with the Board of Agriculture or with the Fish and Game Commission, and all matters relating to the bird life of the State, or the laws governing the same, should be referred to him for expert opinion. In every State may be found ornithologists of note who would be willing to contribute their services without compensation.

The Audubon societies should affiliate closely with the Humane societies; many of these throughout the United States are now

doing excellent bird protection work, and as the objects of both societies are in the main similar, the good work of the Humane societies should be recognized.

Farmers' organizations should be encouraged (see Illinois); if the owners of land will band together to prevent illegal shooting upon their properties and thoroughly post and police their farms, much illegal killing of both game and non-game birds will be the result; this is especially important in localities adjacent to the large cities where the foreign population is numerous. As many of these people do not readily understand English, it is of the utmost importance that warning notices printed in Italian, Polish, and Scandinavian should be freely distributed in suburban localities. Only fifteen States are without trespass laws as follows: Alabama, Arkansas, Connecticut, Delaware, Kansas, Maine, Maryland, Montana, Nevada, New Hampshire, North Dakota, South Carolina, Utah, Vermont, and Wyoming.

In many of the States Sunday shooting is strictly prohibited; this gives absolute rest to bird life for one day in the week, and the Audubon societies should see that this law is complied with; the twenty-one States and Territories that have no law prohibiting Sunday shooting are, Arizona, Arkansas, California, Colorado, Hawaii, Idaho, Illinois, Louisiana, Michigan, Montana, Nevada, New Mexico, Oregon, South Carolina, South Dakota, Texas, Utah, Virginia, Washington, Wisconsin, and Wyoming, and in these Commonwealths such a law should be passed at once.

Another subject that should engage the attention of the Audubon workers is, the feline hunter; in other words, the house cat run wild, for there is no doubt that millions of birds are killed in the United States and Canada every year by cats. This is a subject that has never received the attention its importance warrants. Most States provide for a license or tax on dogs, so that the number is kept within reasonable limits, and none are permitted to run wild as cats do; there is no good reason why a tax should not be placed on cats.

The National Committee feel very strongly that all of the Audubon societies should heartily support our organ 'Bird Lore.' This magazine is conducted with the sole purpose of educating the public, especially the children of the country, about birds;

nothing is admitted to its pages that is not scientifically correct, and everything is presented in a popular and interesting manner. It is always beautifully illustrated, and gives reviews of new bird publications.

During the coming year each issue will furnish interesting news regarding the work of the National Committee ; besides this, every number will contain a new educational leaflet which will afterward be printed as a ' separate ' for general distribution. The more widely our magazine can be distributed the greater will be the progress of our work.

During the past year the Committee has received in contributions for the various branches of work the sum of \$3,756.85, which has been expended with the greatest care and economy ; notwithstanding this, at the close of the year, the Committee was confronted with a deficit of \$158.90.

It is absolutely necessary that the Committee should have at its disposal for the year 1904 a sum not less than \$5,000, and it is desirable that even a larger amount should be provided by those interested in the furtherance of this great economic work. The Committee should be in a position to distribute its leaflets free, otherwise its educational work will be seriously hampered.

The territory to be covered by wardens during the coming year will be very much larger than heretofore. In addition it is of the utmost importance that the National Committee shall be able to send into the State of Louisiana at the next session of the Legislature some of its best speakers and most active bird protection workers, in order to secure the passage of the A. O. U. model law. For generations the indiscriminate slaughter of birds of all kinds in Louisiana has been permitted ; this must be shown to be wasteful and wrong.

A material increase in the Thayer Fund is earnestly urged upon the thoughtful consideration of those who have so generously supported it in the past. If every one of our loyal friends will secure an additional subscriber the necessary working fund can be readily secured.

The Subcommittee on Foreign Relations present the following report of its work for the past year.

PHILIPPINE ISLANDS.—A Committee was appointed at the last annual meeting to take measures to prevent the use of the birds of the Philippine Islands for commercial purposes.

A memorial was prepared and sent to the Honorable Secretary of War, as follows :

SIR : —

At the Twentieth Congress of the American Ornithologists' Union, held in Washington, D. C., November 17-20, 1902, the following preamble and resolutions were unanimously adopted :

Whereas, During the past twenty years there has been an alarming decrease in the wild birds of the world, and

Whereas, The said decrease has been largely occasioned by the use of birds' plumage for millinery ornaments, and

Whereas, Scientific study of bird life by experts reveals the fact that wild birds are of great economic value, and

Whereas, A systematic effort is now being made for the preservation of wild bird life in this country as well as in foreign countries, therefore

Be it resolved, That a Committee of five Fellows of the American Ornithologists' Union be appointed by the President, to take such action as will best conserve all bird life.

In accordance with these resolutions the Committee respectfully invites your attention to the importance of taking steps to prevent the export from the Philippine Islands of game and birds, more especially of those species whose plumage is used for millinery purposes. Laws prohibiting export are considered indispensable in bird protection, and are now in force in all but four or five States and Territories of the United States. Such a law was also enacted by Congress in June, 1902, for the protection of birds in Alaska.

At present there is an enormous demand for the plumage of birds used by the millinery trade, and much of this plumage is obtained from birds of the East Indies, Australia, and New Guinea. Birds are now protected in most of the colonies of Australia, in India, and Burma ; steps have been taken to protect certain species in British New Guinea ; and within the past year the export of birds and plumage from India has been absolutely prohibited. Apparently in most countries of the Orient under British rule efforts are being made to curtail the wholesale destruction of birds for millinery purposes, and the enforcement of existing laws will inevitably drive the plume hunter to new fields, including the Philippine Islands. While it is not probable that many birds are now shipped from the Philippines, it seems desirable to prohibit such export before the plume trade has gained a foothold in the islands.

The Committee therefore respectfully requests your coöperation in this matter, and also requests that the subject be brought to the attention of

the Philippine Commission with a view to taking such action as may be possible to prevent the destruction of birds for export from the islands.

Respectfully,

WM. DUTCHER, CHAS. W. RICHMOND,
THEODORE S. PALMER, RUTHVEN DEANE,
FRANK M. CHAPMAN.

Committee on Foreign Relations.

Action on the memorial was taken as per the following letters:

WAR DEPARTMENT,
Bureau of Insular Affairs,
Washington, D. C., February 9, 1903.

GENTLEMEN:—

By direction of the Secretary of War, I have the honor to acknowledge the receipt of your communication to him of January 31, setting forth the preamble and resolutions adopted at the Twentieth Congress of the American Ornithologists' Union.

You are respectfully informed that your communication has this day, been transmitted to the Hon. William H. Taft, Civil Governor, Manila, P. I.

Very respectfully,
CLARENCE R. EDWARDS,
Colonel, U. S. Army,
Chief of Bureau.

DEPARTMENT OF THE INTERIOR,
Manila, June 24, 1903.

SIR:—

Replying to your letter of January 31, 1903, addressed to the Secretary of War, a copy of which was forwarded to me, I beg to say that there will be, in my judgment, no difficulty whatever in securing the adoption by the Philippine Commission of legislation to insure the protection of wild birds in the Philippine Islands.

There is at present, to the best of my knowledge and belief, no exportation of bird skins from these Islands.

I should appreciate it if you would send any literature on this subject which you have available.

Very respectfully,
DEAN C. WORCESTER,
Secretary of the Interior.

NEW YORK, August 27, 1903.

DEAR SIR:—

In response to your favor of June 24, I beg to enclose you herewith

copies of game laws as follows : Two Acts of India ; Two Acts of New Zealand ; and One Act of South Australia.

I also enclose a copy of the A. O. U. model law.

From all of this matter I think that you will be able to formulate a good law for our Philippine possessions.

Very respectfully,

WILLIAM DUTCHER,
*Chairman A. O. U. Committee on Protection
of North American Birds.*

From the tenor of the above correspondence it may be safely concluded that the bird life of the Philippine Islands will never be offered as a sacrifice on the altar of fashion or to the greed of man.

MIDWAY ISLANDS.—The Midway Islands are a station of the new Pacific Cable Company and belong to the United States. They are the homes and breeding places of countless seabirds, among them a species of pure white tern. Thousands of these birds suddenly appeared in the millinery market about a year since, under the trade name of 'Albinas' and it was feared that these terns would shortly be as nearly exterminated as were the terns of the Atlantic coast.

The following correspondence shows what the Committee has done to preserve these birds.

NEW YORK, July 2, 1903.

HON. WM. H. MOODY,
Secretary of the Navy,
Washington, D. C.

DEAR SIR :—

I am informed that large numbers of seabirds breed and make their home upon the Midway Islands in the Pacific Ocean.

As these islands are under the jurisdiction of your Department, I beg in behalf of our Society that you will establish such rules and regulations as will prevent the killing and taking of the resident birds for commercial purposes, and also to prevent the taking of the eggs of the said birds during the breeding season.

I am informed that the Japanese people have been in the habit of visiting these islands for the purpose of killing birds for their plumage.

It is known that during the past few years enormous numbers of seabirds have been killed by the Japanese and have been shipped to the Paris, London, and New York markets for millinery ornaments ; among

these birds were great numbers of a very beautiful form of the tern family known as *Gygis alba*.

Our Society is under many obligations to your Department for your hearty coöperation in our work for the preservation of sea-birds, the latest and one of the most notable instances being your order of April 24 *in re* the birds on the Dry Tortugas, Florida.

I am, with great respect, my dear Sir,

Very truly yours,

WM. DUTCHER,
Chairman.

NAVY DEPARTMENT,
Washington, July 3, 1903.

SIR:—

Replying to your letter of the 2nd instant, requesting the establishment of rules and regulations to prevent the killing and taking of the resident birds of the Midway Islands for commercial purposes, and also to prevent the taking of the eggs of said birds during the breeding season: I have to inform you that your letter has been referred to the Commandant, Naval Station, Hawaii, for report. Upon receipt of his report, the Department will advise you more fully in the matter.

Very respectfully,

W. H. MOODY,
Secretary.

ALABAMA.— There is great need of a new bird law in this State. The present law, passed in 1899, seeks to protect quite a long list of birds a portion of the year only, but it is practically valueless, as the provisions of the act do not apply to 60 of the 66 counties in the State. There is no session of the legislature until 1905. There is no Audubon Society in the State, and so far as known no bird students.

At the request of Mr. George W. Carver, Director Department of Agriculture and Experiment Station, Tuskegee Normal and Industrial Institute, a package of Educational Leaflets, Nos. 1 to 4, were sent for him to distribute at the Summer School.

Subsequently he wrote: "I have distributed them among our teachers and they take to them most heartily. I am sure they will do a great deal of good as each teacher will go into a community that has not been touched by them. Trusting I can be of further service to you in pushing this grand movement," etc.

There is a great field for educational bird work in this State; will not some generous reader of this report furnish a fund that will enable the National Committee to send to every teacher in Alabama bird leaflets that will enable them to teach the children in their charge the great economic value of the wild birds.

ARIZONA.—This territory has a very imperfect non-game bird law, although it was passed as late as March, 1901. The next session of the legislature will be held in 1905.

There is seemingly little interest taken in birds or bird protection.

ARKANSAS. — *Legislation.* — No change has been made in the law, which is practically the A. O. U. model. The game laws were improved by non-export and sale clauses. The next session of the legislature will be held in 1905.

Warden system. — No wardens were employed by the Thayer Fund.

Audubon work. — There is no organized society in the State, but a great deal of splendid work is accomplished by Mrs. Stephenson of Helena, who is a member of the A. O. U. Protection Committee. She writes:

“Since work of whatever kind is best measured by its results, mine, which is mostly of a personal character, and too often unfruitful, seems hardly worth mentioning. However, as sponsor for Arkansas something must be said.

“Early in the year, the game bills referred to above were presented to the legislature, and after many weeks passed. Later, it was reported that U. S. Judge Trieber (Judge of the Eastern District of Arkansas) had been asked to declare this new law unconstitutional, and that he had done so. In answer to that report he wrote the following letter:

““In reply to your inquiry I would state that I made no decision whatever in regard to the game law. An injunction was asked from me, and to have me declare the game law of the State prohibiting non-residents from hunting unconstitutional, but I declined to do so, stating that perhaps some State Judge could be induced to take that view, but in my opinion the law is constitutional. Thereupon, Senator Clarke did apply to Judge Hughes in Crittenden County, and he declared it unconstitutional. The only thing

I ever did was to grant an injunction, temporarily, to prevent the so-called game wardens, which means the dead beats, acting as constables and deputy constables in Crittenden County, from trespassing upon private lands for the purpose of annoying the negro tenants, but that has been dismissed now for want of prosecution. In my opinion, all game belongs to the State absolutely, and it has a perfect right to prevent anybody from killing, catching, keeping, buying or selling it, shipping or receiving it, and not only that, but the State can allow its own citizens to kill it and still refuse non-residents the same privilege. As to the wisdom of it, that is a matter with which the courts have nothing to do, but if the State expects to preserve any of the game there will have to be a more stringent enforcement of the law than there is at present.

“ ‘As to the so-called sportsmen: In my opinion there is very little difference between those residing in the State and those out of the State; they enjoy sport because they can see blood. They care nothing for game for the purpose of eating it, but it is considered a noble sport to kill helpless things; all of which only tends to show that our boasted civilization is a very thin veneering and the least scratch takes it off.

“ ‘With some men all you have to do is to yell “sport”; with others, “war”; and still others, “lynching”; but whatever it is when you boil it down it is nothing but the wild animal that is in us.’

“By constant watching and complaining when it is violated, I have upheld the protective law for song birds, and am glad to say there is a perceptible increase in their numbers in my field this past year. All work outside has been done through letters and the distribution of literature.”

The following sentiment expressed in an editorial in the Helena ‘Soliphone’ deserves wide publicity: “Let it be the unwritten law of America that no gentleman will kill a non-game bird, and that no lady will allow her hat to be decorated with the plumage of the innocent warblers.”

CALIFORNIA.—*Legislation.*—There has been no change for the better in the non-game bird law and no further effort can be made until the next session of the legislature, which will be held in 1905. In the interim, however, a strong public sentiment must be created in favor of the A. O. U. model law. As proposed in the last

annual report, an effort was made for a new law; a bill was carefully prepared, and was introduced and favorably reported by the Senate Fish and Game Committee. Owing to opposition from an entirely unexpected quarter, one in fact that should have given support rather than opposition to the bill, it was not pushed. It was thought better not to have any legislation rather than an unsatisfactory law.

Audubon work.— While no society has been formally organized, a great amount of very valuable bird protection work is being done by interested citizens. California is deeply indebted to Mrs. Josephine Clifford McCrackin of Wrights, for her noble and praiseworthy efforts to preserve the birds and trees of her State. One of her friends writes: "This good woman, one of our earliest literary workers and a former associate of Bret Harte on the old 'Overland Monthly,' despite her age, has done our State more good than a thousand prominent citizens. After having saved several of our noblest groves of redwoods (*Sequoia gigantea*) by having bills passed for their purchase by the State is now turning her attention to the preservation of our beautiful song birds. Her energy is tremendous and she carries through all she proposes to do."

Mrs. McCrackin's story of the 'Ladies Forest and Song Bird Protective Association of Santa Cruz County' is of so much interest that it is given in some detail:

"This Association was organized in December, 1901, through the efforts of Walter R. Welch, Deputy State Game Warden. His successor, C. A. Reed, felt the same interest in the preservation of song birds, and used his influence with the supervisors of this county to make the ordinance protecting birds of some effect, and as each member of our Association became at once an active worker in the cause, the song birds soon returned to their former haunts in the vicinity of Santa Cruz City. It is different in the country, I am sorry to say, though a number of our members live in my immediate neighborhood, in a grape and fruit-growing section, and like myself are convinced that the cherry crop, for which many song birds suffer death, is not in any measure made less by the alleged depredations of the birds that are with us at the time when cherries are ripe, yet the rancher, to his own detriment, with

the instinct of the savage, will persecute and kill every bird that dares to make the county its home.

"From the very beginning our aim and object was to awaken interest and find representation in the public schools, and I was instructed to write individually to each teacher, 109 in number; in most cases I received courteous assurances that kindness to all God's helpless creatures was taught to the children in charge. In the Parochial school, the 'Address to School Children,' which I had written, fell on such fruitful soil that a number of really excellent, thoughtful essays were written by some of the pupils, not one of whom had reached the age of fourteen. The public schools evaded and avoided us, giving as a reason that the teachers were already overburdened with studies. (Many of the teachers, let me say, are members of our Association.) Game Warden Reed had 500 copies of the address struck off, at his own expense, and these have been distributed as far as they would go.

"The 'Pastime' of San Francisco republished some of my earlier articles from the 'Sentinel,' and its successor, 'Western Field,' brought out an article of mine on the subject in its first number.

"The 'Pacific Fruit World' of Los Angeles, readily consented to publish a strong protest I wrote against the barbarous course, pointed out by one contributor, to rid the country of the bird pest to hang wide-mouthed bottles filled with poisoned water up in the trees where the birds would come to quench their thirst.

"Later the 'Breeder and Sportsman,' San Francisco, published two articles 'Save the Song Birds,' in the second of which I spoke in the most uncomplimentary manner of women who still insist on having our best friends, our greatest solace in our quiet country homes, the song birds, tortured and murdered in order to wear this badge of heartlessness on hat or bonnet.

"Having been asked by the Woman's Club of San Jose to speak before the Alliance of Clubs on bird protection I gladly answered the call, as it is most desirable to interest the ladies of Santa Clara County, for the line of that county runs through this part of the Santa Cruz Mountains, and we cannot protect birds in this county when they can shoot across the line from the other county into ours. We of Santa Cruz had made an appeal to the Santa Clara

supervisors to pass a protective ordinance in their county; to which they replied that such an ordinance had been passed in 1896. That it has been a dead letter so far is evident from the fact that that last relic of barbarism, robin pot-pie, is still existent in some households where they choose to believe that no protective ordinance was ever passed.

"What We Purpose to do in 1904.

"If my life is spared, and I am left in my position as President of our Association, I will propose to the members a line of work which shall have for its ultimate object the passing of a protective law by the legislature of California. Our foremost aim must still be the introduction of bird protection and bird study into the public schools. Education is better than prohibition.

"We expect to make a Club effort at the next session of the State legislature, and to work for the forming of a State Audubon society, with one president, and secretaries for the different districts or counties. So much for the State organization. At the present time, or rather with the opening spring, our efforts will be directed toward making it known, and felt, that there is a protective ordinance both in Santa Clara and Santa Cruz counties, and our association must prevail upon the ladies of San Jose, Santa Clara County, to help us. Any person can be appointed Deputy Game Warden without pay in this State; the San Jose Woman's Club will have some member so appointed; I too would seek a like appointment in Santa Cruz county, and together we might succeed in getting the supervisors to have notices printed, to be posted on trees and fences, to the effect that a bird protecting ordinance was in force in both counties.

"I shall make it my duty to write to the people in this State who are interested in bird protection, as one as old as I may venture on writing suggestions.

"Mr. Leonard Coates, an authority on fruit and fruit pests, is our faithful ally, for he is a firm friend of the song bird and has helped protect them.

"I am to address a few lines to the sportsmen who hold their meeting at Paso Robles next month. All the more willingly do I write to them since I wish to make a plea for the better protection

of Mourning Doves, killed off now in this portion of California at a shameful rate. For quail too I will make a plea, though I would hardly venture on this if I did not know that true sportsmen are gentlemen, for I have the honor of being a member, the only lady-member, of the California Game and Fish Protective Association.

"At present our Association numbers nearly fifty regular and over twenty honorary members. We confer honorary membership not only on those who have aided and are kindly disposed toward us, but to those who are indifferent to the cause we sometimes pay a like compliment. An honorary member of a 'bird society' will learn, after a while, to take just a little interest in birds, and see that they are protected.

"Mr. Samuel Leaske, Trustee of the Carnegie Library, has kindly promised that a space shall be set aside in the new library building for our literature, and there will be a reading room for children, where humane literature of every character will be received and kept for the perusal of the little ones.

"The dues of our association are merely nominal, 25 cents. What we ask of our members is that they abstain from wearing feathers on hats or bonnets except those of the ostrich or the chicken, and that they induce their friends to use no other kinds."

Another devoted friend of the birds of California is Mr. W. Scott Way of Pasadena, who is alive to his civic duties and writes as follows: "I shall be very glad to take up, with other earnest workers, the organization of an Audubon society. I have had the thing in mind for some time. I will join anything or go into anything, that is alive, for bird or game protection. I am in the Pasadena Humane Society because it is working on broad lines, and as the bird protection matter is left in my hands you may be sure that that end of the work will not be neglected. I am also working the local Farmers' Clubs for all there is in it in the way of bird protection.

"There is much need of faithful, persistent work here in the way of getting better bird and game laws, and in enforcing those we have. There has been much unlawful shooting in this country during the present month, and the protective association does not seem to have done anything to check it. When the annual meeting is held I expect to 'put up a fight' for better things. In

the meantime, I am ready to take on any new work, that I can possibly undertake, and if you can put me in communication with the right persons I will gladly aid the formation of an Audubon society.

"You will see by the enclosed clipping that I have a county bird protection ordinance in course of preparation. Soon as the local Farmers' Club acts on it I will take it before the supervisors.

"Please send me 100 copies of your Flicker leaflet. I want them for the next Farmers' Club meeting."

The California State Floral Society purchased for distribution among its members and others 1,000 copies of the National Committee Educational Leaflets and its secretary writes: "Our society most heartily approves of your method of education to protect the valuable birds of the country."

COLORADO.—*Legislation.*— During the last session of the legislature the A. O. U. model law was adopted. The next session of legislature will be held in 1905.

Warden work.— No wardens were employed by the Thayer Fund.

Audubon work.— A society was organized during the past year and is now doing effective work. The juniors of the organization have their own officers and manage their own business, with some supervision and advice from the parent society, whose secretary writes of the boys as follows:

"I am very proud of the boys and am confident that the work they are doing will be of much benefit for the protection of the birds of Colorado.

"Their meetings have been held once in two weeks, until lately they have decided that it is best for them to meet weekly on account of the large amount of work they have to do. There are visitors at each session and much encouragement is given to the boys. Mrs. Mackenzie, a prominent teacher of Wyoming, was in attendance at the last two meetings to gain information that would assist her in organizing a like society at her home. Miss West of Pueblo, Colorado, a teacher of much influence in that city, spent an hour with the juniors two weeks ago to secure advice that would enable her to organize an Auxiliary.

"The juniors, which I so justly and proudly claim, have the State

organization, and have decided that all others must be auxiliaries to theirs.

"It is a surprise and satisfaction to many who visit the boys while they are in session to note the very intelligent manner in which they handle parliamentary rules. It has required much of my time to coach them in their work, but I am well satisfied, for they never forget the advice once given.

"The secretary also contributes the following encouraging information: 'If you have any literature to distribute free kindly send some to Mr. Geo. J. Spear, Greely, Colorado. Mr. Spear is one of the directors of our State organization, a prominent fruit grower and nursery man, and has applied for the appointment of Deputy Game Warden without pay, that he may prosecute parties in Greeley who are killing robins.'

"I think I have written you of the Freemont County Audubon Society, organized by the Hon. B. F. Rockafellow, which now numbers considerably over 300 members. There are several auxiliaries organized in the State and all are doing good work."

CONNECTICUT. — *Legislation.* — The A. O. U. model law is in force. Next session of legislature, 1905.

Warden system. — No wardens employed by the Thayer Fund.

Audubon work. — The Connecticut Society is very active, especially along educational lines, as the following extract from the Secretary's report shows:

"We have not a large number of new members to report; about 125 juniors, six teachers and eight other members, besides 700 associate members; these sign a pledge and receive a button, but do not pay or have a certificate. These members do not represent the work of the society; we have in circulation 70 sets of bird charts, and 20 libraries, besides our three illustrated lectures and reading cards. During the past year the society has spent for libraries, bird charts and other educational work \$170.28."

It is pleasing to note the growth of interest in bird protection and allied subjects, as indicated by the proclamation of Governor Chamberlain in setting apart May 1 as Arbor and Bird Day. He says: "The importance of preserving and multiplying forest and shade trees cannot be overestimated, and it is to be feared that we do not fully appreciate the great advantages to be derived from tree

and plant culture. Many of the trees which beautify our grand old State were planted by our fathers — let us, in our turn, plant trees, in whose branches song birds may build their nests and whose grateful shade coming generations will enjoy.

“I further request that the teachers in our schools endeavor to stimulate their pupils to an interest in the study of ornithology. It is surely an imperative duty to impress upon the boys and girls of to-day the sinfulness of robbing birds’ nests and snaring wild birds. Such acts of wanton cruelty should not go unpunished.”

NORTH AND SOUTH DAKOTA. — *Legislation.* — Non-game bird laws in both the Dakotas are lacking. A few birds are protected, but the present statutes are entirely inadequate. The citizens of these two States, which are so prolific of bird life, should awaken to the necessity for their preservation. The next session of the legislature will not be held until 1905.

Will not the press of these two great agricultural States in the interim awaken the citizens to the value of birds to all classes of agriculture? The National Committee holds itself in readiness to furnish information, on request, to the editors of the Dakotas, regarding the economic value of birds.

DELAWARE. — *Legislation.* — No change in the bird law, the A. O. U. model law being in force.

Warden system. — No wardens were employed under the Thayer Fund.

Audubon work. — The Secretary reports as follows: “The County Superintendent of schools, Mr. A. R. Spaid, gave his bird lecture at Dover during July and succeeded in obtaining the names of 25 teachers as members of the Audubon Society.

“Two arrests have been made during 1903 for shooting robins; the fines and costs in each case amounting to over \$10.00.

“The State Board of Agriculture has expressed its intention of sending literature on birds to the teachers of the Delaware schools and asks their coöperation in distributing it among the children.

“The Society has had copies of the bird laws of the State placed in all the stations of the Delaware railroads, and in all the post offices of those towns and villages where we have members, and permission to post the laws could be obtained.

“Our Society thinks that constant agitation through the press

should be its aim during 1904, and to strive to enroll children as members. It has other work under consideration, but as no definite plan of action has yet been decided on it would be unwise to present it in this report."

A most important and advanced step in bird protection work has been taken in Delaware during the present year in the appointment by the State Board of Agriculture of an Honorary Consulting Ornithologist. The selection of Mr. Charles D. Pennock, a member of the American Ornithologists' Union, to this important position gives assurance that the farmers who listen to his addresses on birds will learn scientific facts of great value to them.

DISTRICT OF COLUMBIA.—*Legislation.*—None. A. O. U. model law in force.

Audubon work.—The Secretary reports as follows :

"This Society was organized for the study and protection of birds. Under the heading of study, the work accomplished has been through lectures, monthly meetings for members, classes for the instruction of teachers conducted by different ornithologists, members of this Society, for which no charge is made. Fifty or sixty teachers have been taught. In these classes illustrations are made by means of bird skins owned by the Society. Classes for popular instruction were held through the spring. These were well patronized and created great enthusiasm, especially the outdoor classes, realizing for the treasury a considerable sum.

"Field meetings were held through April and May for members and their friends, each personally conducted by two or three trained ornithologists. Leading, as they did, through the beautiful woods around Washington, so easy of access, to which was added one water excursion, these meetings are said to be the crowning pleasure of the year's work.

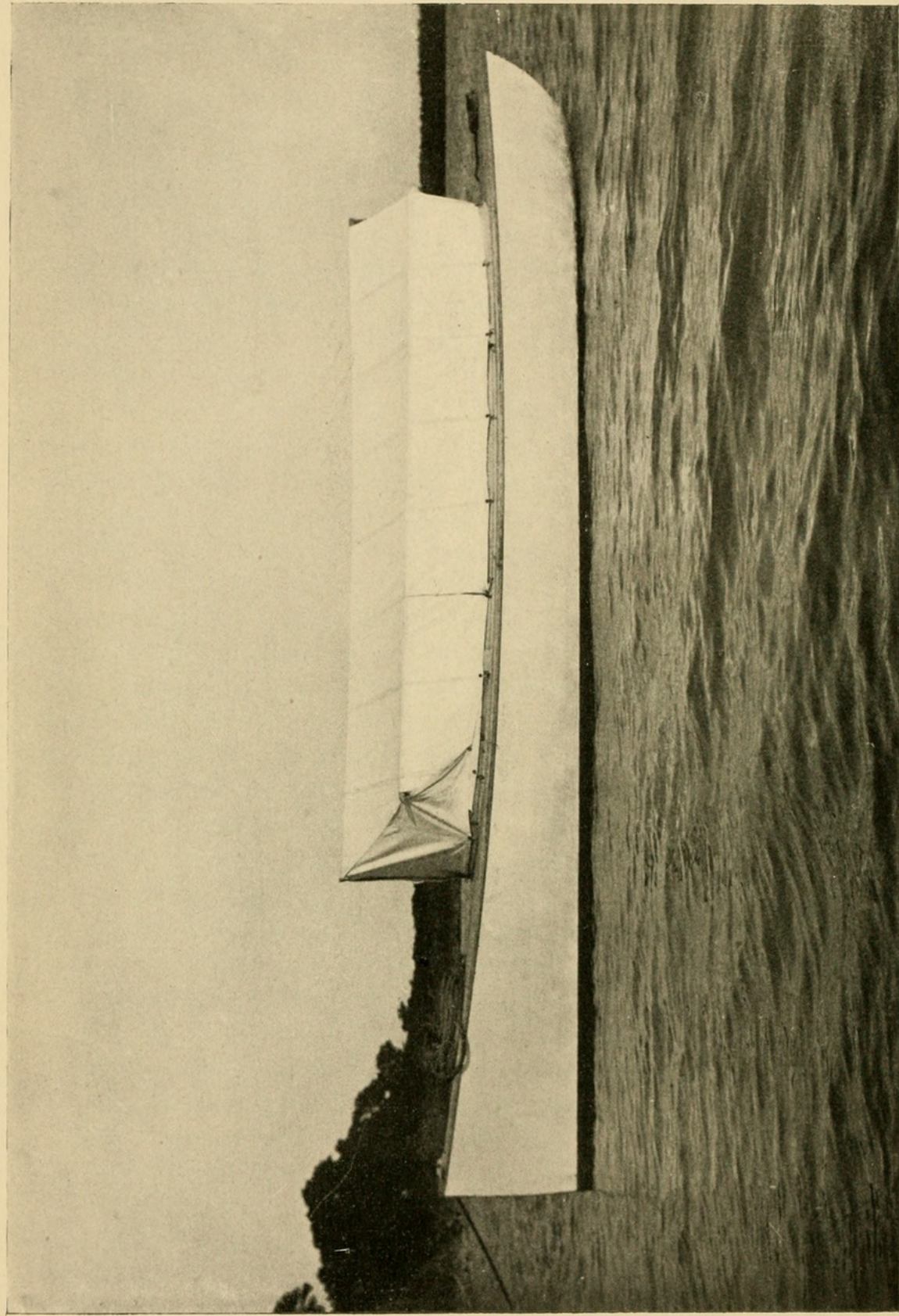
"For the protection of birds, examination of millinery stores has been made by officers of the Society ; coöperation with the Audubon Society of the State of Virginia, to secure the enactment of an adequate law for that State ; coöperation with the game wardens of Montgomery County, Maryland, to all of whom copies of our game laws were sent. Occasional examinations of the markets and commission houses revealed no flagrant violation of game laws, and no song birds offered for sale.

"Protection has been given to two breeding colonies of Night Herons near the Eastern Branch of the Potomac. The existence of breeding colonies so near the city of Washington is of great interest. All sale of grebes in the market has been effectively stopped. The sale of live native birds has been reduced to a minimum. The laws for the protection of birds and game have been generally well observed.

"The Audubon Society of the District of Columbia begins its seventh year with renewed activity. The remarkable spread of bird protection sentiment manifested in the greatly increased interest in nature books and nature study, the rapid growth of bird-protective legislation, and the organization of new societies throughout the land, is both gratifying and stimulating. The ready response of the people to organized effort clearly indicates that energy and persistence are alone needed to awaken that enthusiasm through which protection of the birds becomes an assured fact. The District Society, which has so well borne its part in the past, purposes to conduct a yet more vigorous campaign during the coming year."

FLORIDA.—*Legislation.*—The A. O. U. model law is still in force, although it had a narrow escape from a serious amendment. Fortunately through the vigilance and very active work of Mr. R. W. Williams, Jr., the Florida member of the A. O. U. Protection Committee, the amendment was killed in the Senate after it had passed the House.

The amendment was known as House Bill No. 561 and was introduced by Mr. McNamee of Hillsboro, as follows: "A bill to be entitled an act to exclude that certain family of sea fowls called the tern family from the provisions of all statutes forbidding the killing of plumage birds and providing penalties for a violation for said killing." It was referred to the Committee on Fisheries, which reported it favorably. Mr. McNamee stated in his speech for the measure in the House, that "these birds were a nuisance to man and destroyed the fish industry in Florida; that their pelts were of commercial value and there is no reason why the citizens of Florida should not be allowed to reduce them to money." He also said: "No one knows from whence they come, they are only with us a short time, and it is senseless to protect them." The bill



LAUNCH 'AUDUBON' USED BY WARDEN IN SOUTHERN FLORIDA.

passed the House by a vote of 32 yeas to 26 nays. In the Senate the bill was referred to the Judiciary Committee, on motion of Senator Harris of Key West, where it remained when the legislature adjourned on June 5. This narrow escape forcibly emphasizes the fact that every legislative session must be closely watched in order to prevent the assaults of the ignorant and perhaps the venal. As there will not be another session of the legislature until 1905, the present excellent bird law will remain unchanged until then.

Warden work.—In the report for 1902 the Chairman urgently recommended the purchase of a naphtha launch for the use of the warden who has charge of the district at the extreme southern part of the Florida Peninsula, and the thousands of Keys and small islands in that section. The Executive Committee of the Florida Audubon Society promptly took the matter in hand, with the result that a special fund of \$300 was raised, and a seaworthy launch 23 feet long, with a 3 horse-power engine was specially built and is now in daily use. The boat is capable of making seven miles per hour, and has traveled hundreds of miles since it went into commission shortly after May 1. The boat bears the name of the great artist-naturalist 'Audubon,' and is the property of the Florida Audubon Society and is loaned by them to the National Committee for the use of warden Bradley, who is paid for his services by the Thayer Fund.

Four paid wardens are employed in Florida. Paul Kroegel has been placed in charge of the Pelican Island Reservation on Indian River. As stated in the report for 1902, the Committee thought it very important that this interesting island should be purchased in order that perpetual protection should be given to the colony of pelicans that had so long made it a breeding place. After many months of effort and an expenditure of considerable money in surveys and other necessary red-tape, an appeal was made to the President of the United States, through the U. S. Department of Agriculture, to have Pelican Island set aside as a public reservation. President Roosevelt, with his well-known promptness in all matters relating to the preservation of wild life, issued the following order:

WHITE HOUSE, March 14, 1903.

It is hereby ordered that Pelican Island in Indian River in section nine, township thirty-one south, range thirty-nine east, State of Florida, be, and it is hereby, reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds.

(Signed) THEODORE ROOSEVELT.

Pursuant to this order the Secretary of Agriculture appointed as the Keeper of the reservation Mr. Paul Kroegel, the warden employed by the Thayer Fund.

(Copy.)

April 4, 1903.

Mr. PAUL KROEGEL,
Sebastian, Florida.

SIR : —

Under an order signed by the President, on March 14, Pelican Island has been reserved as a breeding-ground for native birds under the charge of the Department of Agriculture. This island, as you are aware, has been under the care of the Committee on Protection of Birds of the American Ornithologists' Union for the last two years. For the present the Committee will coöperate with the Department in preserving the birds, and upon recommendation of the Chairman of the Committee you have been appointed as Warden in charge of the reservation.

No shooting will be allowed on the island or in the vicinity and no one will be allowed to land on the island without permission from you or from this department. Any infraction of this rule should be reported promptly with a statement of your action. You should make every effort to make the fact generally known that the object of establishing this reservation is to preserve the pelicans, and you should strive to secure the coöperation of the public so that the birds may be protected, not only on their breeding grounds but also after they leave the island.

Respectfully,

(Signed) JAMES WILSON,
Secretary.

Two large signs were painted and placed at the edge of the island where all who approached could not fail to see them, the signs reading as follows :

U. S. DEPARTMENT OF AGRICULTURE.

PELICAN ISLAND RESERVATION.

(Established by Executive Order, March 14, 1903.)

NO TRESPASSING ALLOWED, NOR FIREARMS PERMITTED ON THE ISLAND.

THE BIRDS MUST NOT BE DISTURBED.

PERSONS DESIRING TO LAND MUST OBTAIN PERMISSION FROM THE
WARDEN AT SEBASTIAN.

By order of

JAMES WILSON,
Secretary of Agriculture.

The fact that this island is a reservation was advertised in the local press and the result has been most satisfactory, as the following report made by Mr. Kroegel shows :

Sebastian, Fla., Aug. 25, 1903.

Department of Agriculture, Biological Survey,
Dr. C. Hart Merriam, Chief of Division.

DEAR SIR :

By request of Mr. William Dutcher, of the American Ornithologists' Union, I beg to report that the nesting season on the Pelican Island Reservation is now over. It has been one of the longest seasons known, commencing Dec. 1st and ending July last. During the season there have been between three and four thousand young birds raised, as near as I could judge. I have endeavored to carry out the rules laid down for the protection of the island to the best of my ability, and am glad to say that I have been fairly successful in preventing trespassing. Of course the amount at present available will not allow me to keep as close a watch on the island as should be, but the mere fact that some one has the oversight of the island is enough to prevent serious depredations. I will of course keep an eye on the island until nesting starts again, so that what birds remain near the island will not be molested.

Yours respectfully,

(Signed) P. KROEGEL.

The following letter from Mr. C. W. Beebe, of the New York Zoölogical Society, under date of New York City, Sept. 30, 1903, confirms the report of Warden Kroegel. He says :

"Let me congratulate you on the success attending the protection of the Brown Pelicans at their breeding resort on Pelican Island in the Indian River, Florida.

"I visited the Island in February of the present year and found the warden alert, warning notices posted, and the birds fearless and greatly increased in numbers, both on the island and especially in the neighboring overflow colonies."

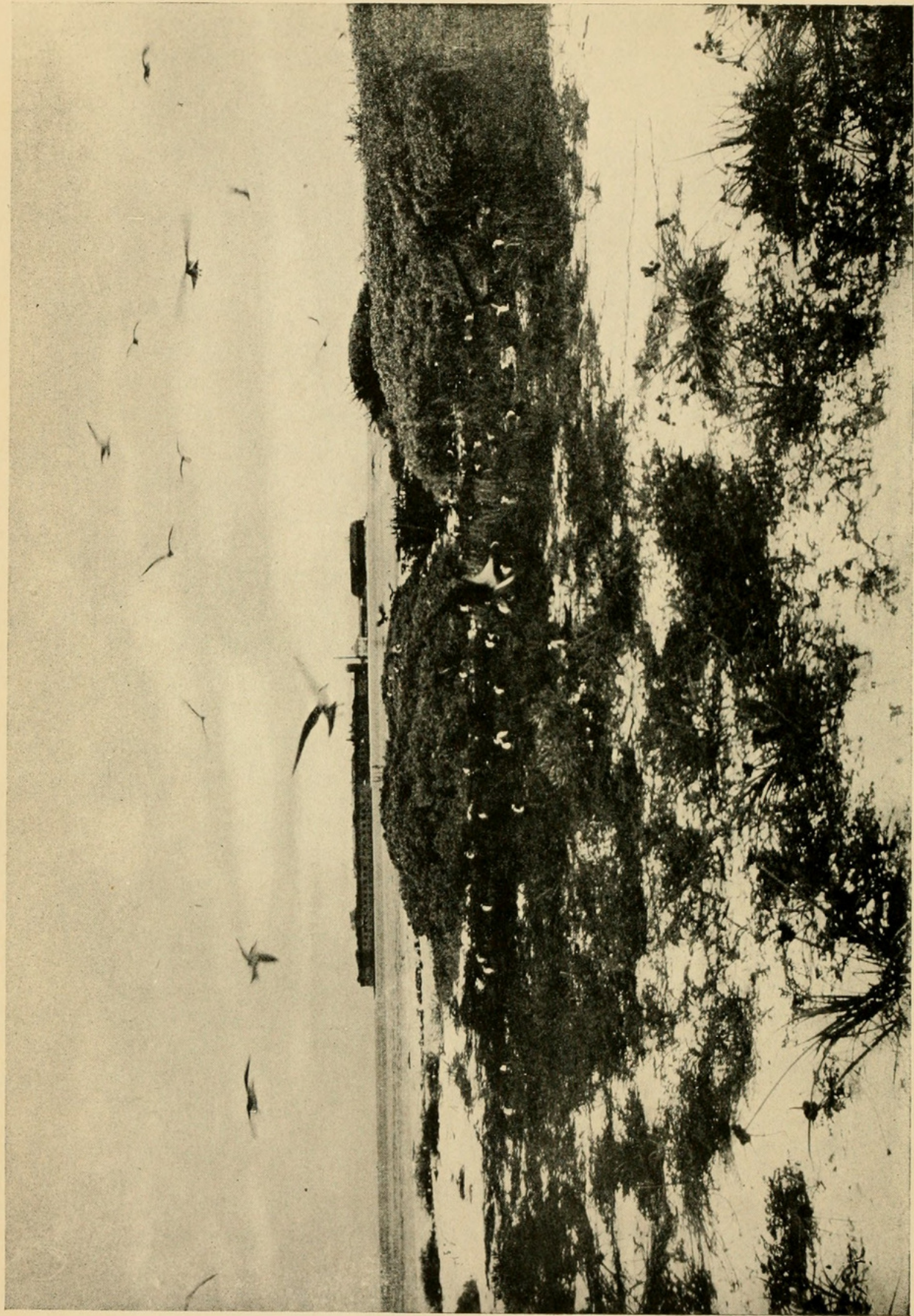
Capt. C. G. Johnson, Keeper of the Sand Key Lighthouse, was re-employed for the past season. He reports that the three species of terns breeding at his station had a most favorable season and that no eggs were taken nor old birds shot. From a description of the three sizes of terns breeding on this Key, sent to me by Mr. Johnson, I suspect that the one he calls "Kill-em-Peters" must be the Least Tern (*Sterna antillarum*). They numbered this year at the close of the season some 3,000 birds, and it is therefore one of the largest colonies of this species remaining in the United States, and is deserving of special protection, from the fact that on the Atlantic coast the Least Terns more nearly approached extermination than any of the other species.

That the large and important colonies of Noddy and Sooty Terns breeding upon Bird and other Keys, in the Dry Tortugas, should again have protection, application was made to the Honorable Secretary of the Navy for permission to establish a warden on Bird Key. In compliance with this request the following order was issued :

U. S. NAVAL STATION,
Key West, Fla., April 24, 1903.

ORDER.

By direction of the Secretary of the Navy, and in deference to a request by the Chairman of the Protection Committee, North American Birds, American Ornithologists' Union, New York City, in the State of New York, all persons connected with the Navy of the United States or the Marine Corps, or citizens of the United States, temporarily in the vicinity of each, any, or all of the islands, keys, or above-water shoals in the group geographically called Dry Tortugas, are hereby prohibited from disturbing, during the nesting period, any sea birds, such as sooty and noddy terns, on the small island known as Bird Key; and all persons, whether foreign or domestic, are hereby prohibited from taking eggs from any non-domesticated birds from any of the islands, keys or shoals of the Tortugas group. It must be understood that the molestation of birds by



BIRD KEY, FLORIDA, PROTECTED TERN COLONY. (Fort Jefferson, Garden Key, in distance.)

word or gesture, or by the use of any weapon, trap or missile, or device whatever, is in violation of the law of the land, except at certain times and under certain circumstances strictly defined by law.

(Signed) GEORGE A. BICKNELL,
Captain U. S. N., Commandant.

Thereupon Mr. W. R. Burton was appointed special warden and was directed to proceed to and remain on Bird Key.

The following letter of instructions was given the warden :

This is to certify that the bearer, Mr. W. R. Burton, is the duly authorized representative of the American Ornithologists' Union.

He is appointed by the said Society for the purpose of protecting the birds that breed on the several keys in the Dry Tortugas.

The said warden, has the permission of the Hon. Secretary of the Navy, to camp upon any of the keys or islands of the Dry Tortugas for the purpose above stated.

The said warden is directed to report to the Commandant of the Naval Station at Key West for transportation to the Tortugas and on his arrival at the Tortugas is to report to Lieut. R. B. Sullivan, U. S. M. C., Commanding the Marine Barracks, Dry Tortugas, Florida.

The said warden, Mr. Burton, is instructed to enforce the law of the State of Florida, which makes it a misdemeanor to take the eggs of any breeding bird, or to disturb them in any manner, or to kill them at any time.

The said warden will report his arrival at the Tortugas to the undersigned by letter, and will follow such further instructions as he may receive from time to time.

By order of the American Ornithologists' Union.

(Signed) WILLIAM DUTCHER,
Chairman of the Protection Committee.

Mr. Burton made the following interesting report at the close of the season, July 15, when he left the Tortugas :

DRY TORTUGAS, July 15, 1903.

I arrived at Bird Key on ^{May} June 19, in company with Mr. Herbert K. Job; I found that the birds had been laying some time, and that some eggs had been taken; there were probably 200 eggs on the ground when we arrived; the birds continued to lay until as late as June 15, in considerable numbers. It was impossible to count the eggs on account of the manner in which the Sooties lay; they deposit their eggs on the ground without any attempt to build a nest, and a great many lay on the open beach without any cover of any kind, but the majority deposit their eggs

under a clump of grass, weeds, or the cedar bushes with which the key is nearly covered. Mr. Job and I estimated that there were about 3,600 of the sooties and about 400 noddies, but as a great many eggs were deposited after he left, I think there must have been at least 5,000 of the sooties and 600 noddies. There are no other birds that nest, although the man-o'-war birds roost there; there were about 300 of them, but they do not molest the gulls in any way, nor do they eat the eggs or young, as reported; the gulls easily drive them away when they wish, as they can whip the man-o'-war birds easily. I did not see a single crow while I was at Tortugas, nor are there any animals of any kind on Bird Key to eat the eggs or young. The only enemy they seem to have are the sea and land crabs with which the island is infested; they undoubtedly eat a great many eggs.

The birds are partly protected by the efforts of Capt. Geo. A. Bicknell, Commandant of the Naval Station at Key West, of which Tortugas is a part; he is a fine officer and has done everything he possibly could to assist me in protecting the birds. An order was posted by his direction at the Fort and the Key, prohibiting any one from landing without special permission. If the terns are protected during the time that they are laying and until the eggs hatch, they will increase very fast, as the mortality is very small.

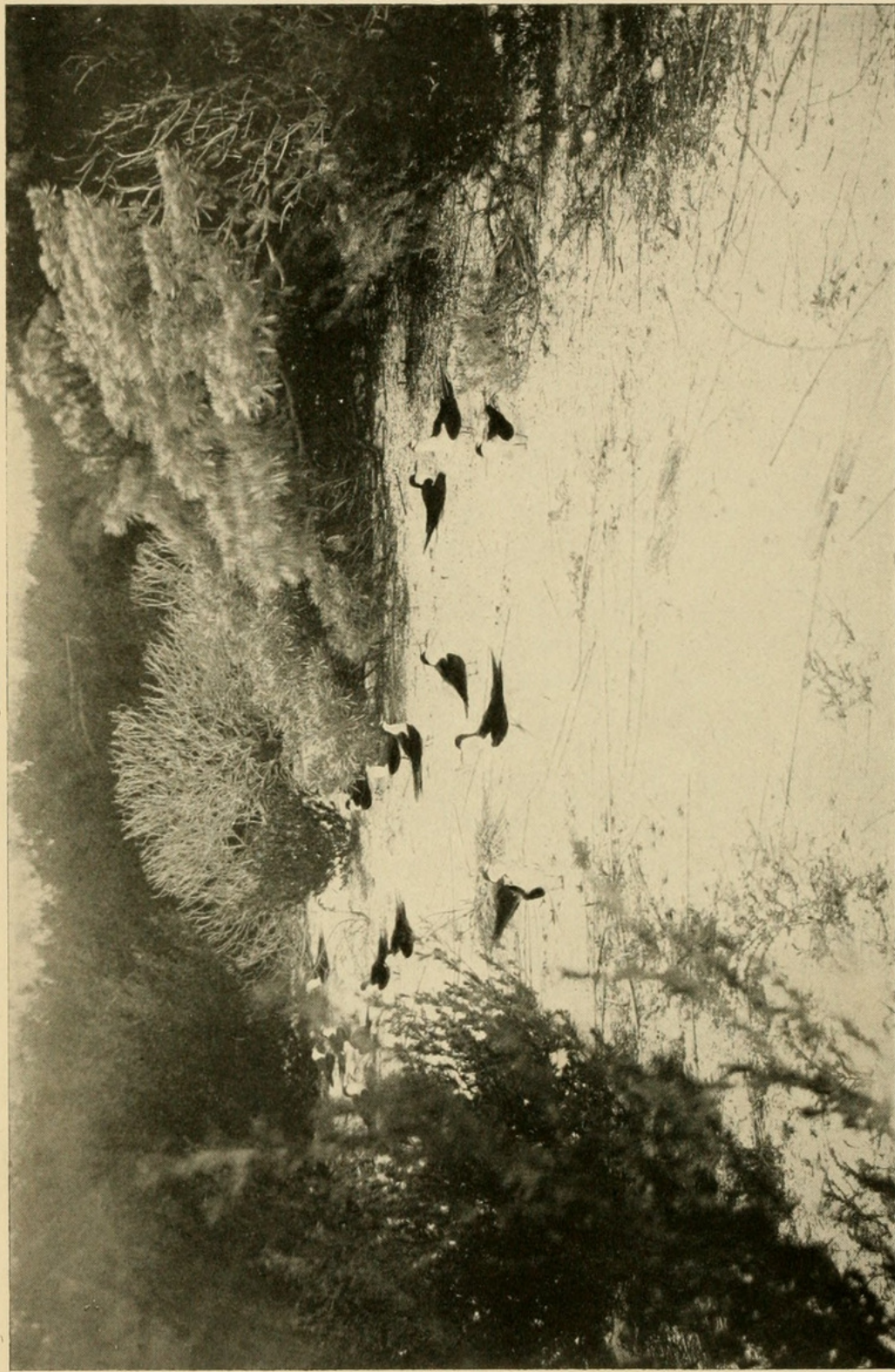
The birds arrive at the Key about the middle of April and leave from August 15 to the first of September; I am told that they all leave at one time and in the night. The eggs were all hatched on the date I left the Key, July 15.

Our fellow member, Rev. H. K. Job, who accompanied Mr. Burton, supplements the statements of the warden in the following letter:

I went with Mr. Burton, the new warden, to Bird Key, Dry Tortugas, arriving there May 19. I was with him the first four days of his stay, instructing him in scientific observation and in photography.

There are two species of birds breeding, the Sooty Tern and the Noddy. The former are by far the more abundant, numbering, at a guess, five to six thousand. Of the Noddies, I should say, there were hardly a thousand. There were also some Man-o'-war Birds resorting to the key, but not breeding.

At the time of our arrival, most of the Noddies had a fresh egg in each nest, and perhaps about half the Sooty Terns had also a fresh egg. Some eggs had already been taken, it was said, by a party. This, however, did no damage, for by the end of my stay, the 22nd, nearly all seemed to have laid, and they were protected thereafter. No noddy had more than one egg, and in only three of the Sooty Terns' nests, out of thousands inspected, did I find as many as two.



SOOTY TERNS ON BIRD KEY, FLORIDA. PROTECTED COLONY.



SOOTY TERN AND YOUNG, BIRD KEY, FLORIDA.

The nests of the Noddies possibly could be counted, being built upon the bay cedar bushes, but to accurately count those of the Sooties, on the sand under this thicket, would be next to impossible.

The opportunities for bird-photography upon Bird Key are simply amazing. The Noddies are perfectly fearless, and the Sooty Terns, though more nervous, are yet very tame indeed. I could focus, even upon the latter, on their nests, at a distance of only three or four feet.

As the warden will be able to make a more complete report, I will not attempt to describe the habits of the birds.

Upon my return, stopping at Key West, I called upon Commandant Bicknell, in command of the Naval Station. He was very kind, expressing sympathy and great interest in the work of bird protection, regretting that many of the people of Florida seem "determined to make of their beautiful State a lifeless, treeless desert as fast as they possibly can," and promised to do all in his power to prevent this sad issue.

I also made a tour through the Key West markets, and found one stand, kept by a negro, where eggs of the Sooty Tern, locally called "Egg Bird," were on sale, at 15 cents a dozen. The man had only a few dozen on hand, and *said* they were brought from the Bahamas.

During my short stay on Bird Key warden Burton stopped several parties of marines from the fort in attempts to gather eggs, and was doing his work faithfully and intelligently, entering into the spirit of it.

Bird lovers will profoundly sympathize with him in the tragic death of his little son upon the lovely key, sacrificed in the cause of bird protection.

Respectfully submitted,

HERBERT K. JOB.

Our warden in Monroe County, Mr. G. M. Bradley, has been continuously employed since the last report, during which time he has cruised hundreds of miles along the coast and among the keys where thousands of birds still breed. He has also patrolled on foot the swamps where boats could not penetrate. On one occasion he just escaped being bitten by a large cotton-mouth moccasin snake. He has every part of the territory under his care posted with warning notices and has watched and warned many boat loads of cruising tourists and hunters. Many visits have been made to the city and island of Key West, which is in Monroe County, although it is over 70 miles from his home. His excursions have extended as far north as Chokoloskee on the border of Lee County, 60 miles away, and eastward his patrol has extended to Key Largo. There is no doubt that it is well known in all that district that a deputy sheriff is continually on the lookout for game and bird law violations and the moral effect is excel-

lent. Prior to June all of the wardens' journeys were made in a row or sailboat which was found to be too slow to be effective. Since that date Mr. Bradley has been using the launch 'Audubon' which was provided by the Florida Audubon Society. His movements now are much more rapid and plume hunters could not escape arrest should any come into his territory.

In May two members of the American Ornithologists' Union, Messrs. H. K. Job and A. C. Bent, visited this section of Florida to study and photograph birds and while there spent a great deal of time with our warden. At the request of the Chairman they reported on the condition of bird protection work in Monroe County. The report is so interesting and valuable that it is embodied herewith.

MY DEAR MR. DUTCHER: —

In response to your request we will try to briefly describe the conditions as we found them, in southern Florida this spring. Under the guidance of your wardens, Messrs. Guy M. Bradley and Wm. R. Burton, we visited and inspected during April and May, quite thoroughly, nearly all the principal rookeries in southern Monroe County, from Whitewater Bay and the everglades southward to the coast, and on the mangrove keys from Cards Sound to Indian Key and Cape Sable.

Our first trip, two miles inland to Bear Lake, served to locate a small rookery of Wood Ibises, consisting of about 20 nests, from 12 to 15 feet up in the tops of red mangroves, on a small island. The nests at this time, April 27, all held young birds of various ages. In order to reach this rookery Bradley had to carry our canoe on his back for two miles through a thick tangle of mangrove forest, which is enough to discourage the average native nest robber.

It required three days of hard work to visit the big rookery at Cuthbert Lake, which lies about seven miles inland, nearly on the edge of the everglades, and can be reached only by laboriously poling and sculling a small skiff through a chain of six lakes connected by narrow, tortuous creeks, overgrown with a thick tangle of red mangroves. The rookery itself is a mangrove island of less than two acres, on which we estimated that there were at least 4000 birds nesting. About one half of the colony were Louisiana Herons, of which fully three quarters had young of various ages on May 1. The White Ibises of which we estimated that there were about 1,000, were just beginning to lay and had from one to three eggs in each nest. There were about 600 Florida Cormorants, about 200 Anhingas, and about 100 Little Blue Herons in the colony, all of which had nests with eggs and with young. We counted 18 American Egrets, and found their nests with eggs, as well as with young of various ages, some of which were

nearly grown. We also counted 12 Roseate Spoonbills, as they left the island, but found only three of their nests, two with eggs and one with two young birds less than half grown. A small flock of Wood Ibises flew from the rookery when we arrived, but we found none of their nests. A few Everglade Kites came here to roost at night.

But even this great rookery was far surpassed by one discovered in an almost impassable morass at Alligator Lake, about four miles inland from near Cape Sable; the mangrove islands, on which the birds were nesting, were well protected by impenetrable jungles of saw grass, treacherous mud holes, and apparently bottomless creeks of soft mud. The various species of the Heron family were nesting here in countless numbers, White Ibises, Louisiana Herons, Roseate Spoonbills, Snowy Herons and American Egrets; there was a perfect sea of nests and hosts of young birds in all stages of growth, most of them being hatched at this time, May 16; but the area was too vast and the traveling too difficult to arrive at any accurate estimate of their numbers or relative abundance. We were able to spend but one afternoon in the actual rookery and could get to but a small part of it. Wood Ibises were probably nesting beyond where we penetrated, and possibly other species.

Among the small rookeries we found a few things of special interest, notably a small colony of half a dozen pairs of Great White Herons, nesting on one of the smaller mangrove keys; the nests, on April 29, all held young birds, some just hatched and some fully grown.

These birds are common among the Keys and we frequently found nests of this species and Ward's Heron from which the young had flown. Both of these species are extremely wary and do not need much protection.

On a large, partly sandy key we found a colony of Laughing Gulls preparing to breed; also a breeding colony of about 40 pairs of Least Terns, a few Wilson's Plovers, and a few Black-necked Stilts, all of which had fresh eggs on May 8.

A flock of about 100 Black Skimmers constantly frequented a flat, muddy island in one of the bays, but we could find no evidence of their breeding.

We made a special effort to locate the breeding grounds of the Man-o'-War Birds, which were everywhere abundant among the Keys, but were unsuccessful. We discovered several of their roosts, one of which contained from 1,000 to 1,200 birds. We were forced to conclude that they do not breed in this region at all or that they breed at a much earlier or a later date.

In Southern Florida, as elsewhere, the plume hunters have done their work thoroughly, but there is not much to be feared from them in the future, simply because there are very few desirable plume birds left for them to hunt. The American Egrets and Snowy Herons are so reduced in numbers that it does not pay to hunt them. There are, however, a few of these birds still left in nearly all of the less accessible rookeries, so that,

under adequate protection, they ought to increase sufficiently to partially restock their former haunts.

The Louisiana and Little Blue Herons, particularly the former, are still very abundant and as they are not sought after by plume hunters, they will continue to hold their own for a long time to come.

The White Ibises are still very abundant, but as they are killed in large numbers by gunners in the winter and the young are much sought after by the natives for food, they need protection.

The Roseate Spoonbills are steadily decreasing in numbers from the same cause and certainly need most stringent protection to save them from extinction. Their breeding grounds are restricted to the most inaccessible localities from which they can be very easily driven by persecution; their beautiful plumage makes them attractive prey for the sportsmen and tourists.

You are certainly fortunate in your selection of wardens for the protection of this inaccessible region, and it would be hard to find better men for this work than Messrs. Bradley and Burton. The rookeries are so widely scattered and traveling is so difficult, either on land or water, that it is almost impossible for two, or even three, men to cover this whole region at all thoroughly. The native conchs and negroes, many of whom are desperate characters, can, by watching the wardens' movements, visit the rookeries with impunity and make wholesale depredations on the young herons, ibises and even cormorants for food. Several expeditions of this kind have already been broken up by the judicious employment of negro spies, who have kept the wardens informed.

The most effective work against the plume hunters can be done by working against the purchasers of plumes, thus destroying the demand, rather than against the hunters themselves, who are expert woodsmen and very difficult to catch. All of the principal rookeries and roosts have been thoroughly posted and whenever we went to explore a new one, Bradley always carried a supply of warning notices, which he nailed to trees or stakes in conspicuous places.

The natives are beginning to realize that the birds are to be protected, and that the wardens are fearless men who are not to be trifled with.

The Bradleys have the reputation of being the best rifle shots in that vicinity and they would not hesitate to shoot when necessary. The Bradleys and Burton together would be more than a match for any party they are likely to meet.

A power launch of light draft would aid them materially in moving about quickly, as many days are wasted in trying to beat through the narrow channels in a sail boat.

We sincerely hope that no efforts will be spared to thoroughly protect these rapidly diminishing colonies of interesting water birds, some of which are not to be found elsewhere within the limits of the United States.

Very truly yours,

A. C. BENT.

HERBERT K. JOB.

Audubon and Educational Work.—The report of Mrs. Kingsmill Marrs, Chairman of the Executive Committee, gives in detail the activities of the Society for the past twelve months.

“I can report progress for the year in increasing membership by which the work has spread into eleven new counties; much interest has been aroused in the State which we hope will help the introduction of Nature Study, including bird study, in certain grades of schools. This matter is left optional with County Boards, but its adoption and incorporation in the “State Course of Study” is a cause for congratulation considering the antagonistic attitude by many toward bird protection three years ago when the society was founded.

“There should be no feeling of discouragement if our membership does not increase as rapidly as like societies in other States. Present membership, 656; gain in the year, 256. Leaflets distributed, 3,500.

“Warning notices sent out, 250 exclusive of those posted in post-offices and those placed by courtesy of the Southern Express Company in its offices. Local secretaries, 8. Massachusetts Audubon Charts, 15, in charge of local secretaries who lend them to schools. During the summer vacation several charts have been retained for bird classes. Four prizes were given, at close of school year in Orlando, to children of ten or twelve years for bird chart compositions; the list for competition was open to any school using the chart, but few teachers interested their pupils, fearing local prejudice against bird protection. We have 53 teachers as members; 36 have joined the past year.

“Some 300 letters have been sent to members of the Legislature, horticulturists, agriculturists, principals of schools and individuals, with educational or statistical leaflets. Many articles have been written on bird protection, bird study, and the value of birds to farmers and fruit growers; these have been published in the ‘Times Union’ by the courtesy of the editor, Mr. Wilson, in ‘The Agriculturist’ by Mr. Painter, and in ‘The Southern School and Home.’ Frequent editorials, the value of which in reaching homes where our leaflets might not, are greatly appreciated. Money to the amount of \$300 was chiefly subscribed by members of the Society for building a naphtha launch for the use of the game

warden in Monroe County. Contributions have also been given by various members and friends of the Society to defray the salary of the warden at Cape Sable from September to December, otherwise a most efficient and valuable man could not have been kept at his post, owing to lack of money in the Thayer Fund. A more liberal support of the Thayer Fund is urged.

"The Florida State Federation of Women's Clubs have a sub-committee for the preservation of birds, and its chairman, Mrs. Graves, has done efficient work at Greencove Springs and Ormond, our Society helping by leaflets, charts, etc.

Thanks are due to our vice-president, Mr. R. W. Williams, Jr., of Tallahassee, who has rendered our Society and the State most efficient aid toward bird protection, and for the efforts of Mr. W. N. Sheats, State Superintendent of Instruction, in behalf of 'Nature Study for Schools,' whereby the introduction of bird study is now a possibility."

Mr. R. W. Williams, Jr., the Florida member of the A. O. U. Protection Committee, says: "The sentiment against the useless slaughter of birds in my State is growing and I believe I foresee an awakening to the true value of our avifauna. I was delighted to receive information, a short time since, that 'bullbat' shooting had almost entirely ceased in my county. I wrote a very strong letter of condemnation of the practise to an influential friend in Tallahassee and requested him to use his utmost efforts to discountenance the 'sport.' I was greatly pleased and gratified to receive an assurance that he would do all in his power to discourage it. This, coming as it does from an old offender, is cheering.

"During the last session of our Legislature in April and May, 1903, persistent effort was made to exclude from protection the terns. Through the earnest effort of Dr. DeWitt Webb, a representative of St. Johns County, we were able to defeat the measure in the Senate, notwithstanding its passage by the House. I would be ungrateful if I did not also acknowledge with gratitude the splendid service of Hon. W. Hunt Harris, the senator from Monroe County, without whose assistance the bill might have passed the Senate. The vote in the House was astonishingly encouraging to those interested in bird protection, for, while the bill passed that body, the minority vote nearly equalled that of the

majority. It demonstrates the lively interest that is taken in bird protection, even by men who ordinarily would vote for a bill at the request of a fellow legislator when doing so would in no way reflect upon them in the eyes of their constituents.

"During the year a prosecution was instituted in Jacksonville against a young man for removing some young mockingbirds from their nest. The prosecution was based upon a mistaken set of facts and was forthwith dismissed. The young man, instead of removing the birds from the nest, was endeavoring to replace them, a sudden gust of wind having dislodged them. This, too, demonstrates some progress in protection.

"The Florida Audubon Society is very active and is accomplishing a great work in the right direction, *i. e.*, educating the people to the value of birds; the time is not far distant when the subject will form part of the school and college curriculum.

"Progress in this direction must be slow. Prejudices and instincts of generations must be overcome; all the signs, however, are encouraging."

GEORGIA.—*Legislation.*—After a long, hard fight, extending over three legislative seasons, the A. O. U. model bill became a law by approval August 15, 1903, but by its own provisions does not go into effect until January 1, 1904. In addition to the non-game bird law the game law was greatly improved by materially shortening the open seasons.

Warden system.—No wardens were employed by the Thayer Fund, but during the coming season it is proposed to extend the system on the Georgia coast to all localities where birds are found breeding in colonies of such size as to warrant the necessary expenditure.

Audubon work.—In June last Dr. E. E. Murphey, of Augusta, wrote the Committee as follows: "Within the last few days I have been approached by several of the most influential and prominent people of our city in regard to inaugurating the Audubon movement here. I believe that the time is ripe for us to do this and trust that within a very few weeks you may shade Georgia on your map."

Later a letter was received from Prof. Starnes, of the Experiment Station, saying, "I shall endeavor to push matters on to a

thorough organization. I am so greatly interested in the subject, and feel so strongly the importance to the agricultural interests of the State of a working Audubon Society, that I cannot cut adrift until one is fairly underway. Do not conclude, therefore, that nothing will be done in Georgia to further the cause, if we appear somewhat inactive for a while. Our efforts shall now be directed to getting the Mourning Dove transferred from the game list, and the Meadowlark from the proscribed list to the protected list."

The above interests coalesced, resulting in the organization of a society which already numbers among its members some of Georgia's best and most public spirited citizens. There is a great work for them to do which will need all the push and energy that can be gathered together. One of the most important activities of the Society will be to see that the provisions of the two new bird and game laws shall be presented by the Judges of the Superior Courts to the Grand Juries at each regular term of said courts. A second and no less important matter is to see that large numbers of the educational leaflets issued by the National Committee are distributed throughout the State among the agriculturists, the press, and especially among the schools, in order that the public may be fully instructed regarding the great economic value of the birds of Georgia.

HAWAII.—The following letter from Mr. Henry W. Henshaw, a Fellow of the American Ornithologists' Union, gives a clear and interesting outline of bird matters in the Hawaiian Islands. He says:

"Yours at hand. I framed a bill for the protection of the island birds, which was practically an embodiment of the A. O. U. model law. Unfortunately it failed of passage, being killed by the sportsmen of Honolulu, or more particularly by one sportsman. This was particularly exasperating, as in framing the statute I kept specially in mind the needs of the sportsmen, well knowing that without their approval it was hopeless to present the bill. Had I been in Honolulu I have no doubt the bill would have become a law, as it was probably through a misapprehension of the facts that any opposition to the clauses affecting game birds developed.

"I may attempt another bill, practically the same one, this

session, but not unless I can be down there to explain away any opposition. However, I must say that the passage of a law for protection is not of so much importance in the islands as would appear, simply because its provisions cannot be enforced. Game wardens are quite out of the question. There is no money to pay them, and practically very little game to preserve or to regulate the shooting of. The small insectivorous birds, which it is of the greatest importance to protect and preserve, all live in the remote and dense, uninhabited forests, where surveillance is impossible. Nevertheless the fact that there is a law with penalties for infraction is of itself a certain though insufficient protection, and can be invoked in such extreme cases as the collection of birds for millinery purposes.

"The most hopeless feature of the whole business is the undoubted fact that Hawaiian birds are fast dying out from some one obscure cause or from a combination of causes. There is now, so far as I can ascertain, no indiscriminate killing of the native birds, and very few are sacrificed by the leis hunters. Under similar conditions our birds would increase fast enough, but both large and small are disappearing and no one has suggested an adequate cause. About five years ago Perkins collected in a certain locality in Kona, where he found three rare species to be quite common while the commoner species were in swarms. He says the locality was simply a bird Paradise. Last year I visited the place, in which probably a gun has not been fired since Perkins was there. Ten days of the most careful search failed to discover a single individual of either of the three species, and the common birds were anything but abundant. It was a cattle range in Perkins's day and is now, and the only change I was able to note was an abundance of the Mynah which in Perkins's time was probably not there at all. Yet the Mynah, so far as I can see, does not meddle with the native birds.

"I have gone into this subject at some length in my recently published 'Birds of the Hawaiian Islands,' though about all I say is that I do not know anything about the matter.

"So it is a bit discouraging to try and frame laws for the protection of birds from men when, as a matter of fact, they require to be protected from an unknown enemy rather than from man."

IDAHO.—*Legislation.*—The non-game birds of this State have no legal protection whatever. Next session of the legislature, 1905.

Audubon work.—There is no organized society at the present time, although quite recently the Committee received an inquiry from a citizen in Weippe asking for information regarding Audubon work and method of organization.

ILLINOIS.—*Legislation.*—No change in the non-game bird law. The A. O. U. model law is in force.

At the session of the legislature last winter the game laws were amended so as to prohibit the shooting of Ruffed Grouse and Prairie Chickens for four years. Another amendment prohibits the sale of Illinois killed ducks, and limits the bag which any one man may make in a day.

Warden system.—No wardens were employed by the Thayer Fund. However, the State game wardens are very active and there have been a number of prosecutions of men who have disregarded the Prairie Chicken law. Fines were inflicted and a salutary lesson taught. One Chicago millionaire who went to the scene of his shooting in an automobile was captured on the way back with Woodcock in his possession. It was before the opening of the season and the man was fined.

The small boy has been taught to respect the song bird in Illinois. It is the Italian workman who is the worst offender. He goes out Sunday and shoots everything in sight. Many of these Italians have been caught and fined, but their fellow countrymen are slow to learn a lesson.

With the exception of one dealer, the bird sellers of Chicago have ceased to traffic in native American birds. The one offender was fined heavily at one time but he still plies his trade, though he does it half secretly. It is more than probable that ere long a means will be found to put an end to his illegal business.

Audubon work.—Mr. E. B. Clark, the Illinois member of the A. O. U. Protection Committee, says: "The year in Illinois has been marked by an increase of interest in the preservation of bird life fully as great as in any year since the phenomenal change in public sentiment regarding bird protection which took place a few years ago. The agreement with the millinery manufacturers

is shown to have had excellent results. There is an almost utter absence of gulls, terns and other protected birds from the hats shown in the great stores where the women in Chicago and of the country round about do the greater part of the purchasing.

"The gulls and terns have been unusually plentiful during the fall migrations along the west coast of Lake Michigan. I have seen more Bonaparte Gulls than during any season for twelve years past.

"The protection situation in Illinois may be summarized under the one word, progress."

The Secretary reports a rapidly growing interest in Audubon work throughout the State, that the membership is increasing, and that branches are being established in some of the larger cities, although this special feature does not grow as rapidly as could be hoped. Large numbers of leaflets have been distributed, 1500 having been sent to milliners in the State, 2000 to State Superintendents of schools for teachers, and many to Farmers' Institutes, for distribution. A generous and public-spirited woman, a member of the society, presented 56 colored slides to illustrate a lecture which is now in use and is making many friends for the birds.

The press of the State is giving material aid by the publication of articles about birds; bird charts are being placed in schools. The Federation of Women's Clubs is helping, every club having had at least one bird program, and many having had special meetings; in Ravenswood the club members passed resolutions strongly condemning the wearing of plumage.

Miss Drummond, the Secretary, from whose report the above facts are gleaned, very pertinently quotes: "Plenty of people wish well to any good cause but very few care to exert themselves to help it. Some one ought to do it, so why not I?"

The Farmers of Rockford Township have taken such a splendid advance step in forming an association for controlling and regulating hunting on their farms that their Constitution and By-Laws are given in full in the hope that the farmers of other States may follow this most excellent example.

CONSTITUTION AND BY-LAWS OF THE ROCKFORD TOWNSHIP
FARMERS' ASSOCIATION.

This Association is formed for the purpose of controlling and regulating hunting on and over farms owned by or rented by us.

Article I.— That the name of this Association shall be the ROCKFORD TOWNSHIP FARMERS' ASSOCIATION.

Article II.— The officers of the Association shall consist of a President, Vice-President, Secretary, and Treasurer, who shall be elected annually on the first Monday of December of each year by a majority of members present.

Article III.— The President shall preside at all meetings and upon request in writing of five members shall call special meetings at any time. The Vice-President, in the absence of the President, shall take the chair.

The Secretary shall keep all records and any or all correspondence, shall collect dues and other income.

The Treasurer shall receive from the Secretary all moneys of the Association, and shall pay out the same on warrant of the Secretary. He shall make an annual statement which shall be verified by the books of the Secretary.

Article IV.— This Constitution may be altered or amended at any annual meeting or adjourned session thereof by a majority of members present.

By-Laws.

Article I.— Any farmer may become a member of this Association upon payment of a fee of 75 cents to the Secretary.

Article II.— Each member shall post in five or more conspicuous places, notices prohibiting hunting or trespassing upon the premises.

Article III.— Each member shall interview, as far as possible, any person found hunting upon the premises, and if after the interview such person persists in hunting, such member shall go before the nearest justice of the peace or magistrate and cause to be issued a warrant for trespass against the offending person.

Article IV.— Each member shall use especial effort to prevent hunting on Sunday on his premises, as such hunting is particularly objectionable to the members of this Association.

Article V.— Any member may grant any person well known to him the privilege of hunting on his farm; provided, that he accompany such person.

Article VI.— Each member shall use every effort to prevent the wan-

ton destruction of birds, and promote the strict enforcement of the game laws of the State of Illinois.

The Mayor and Council of the city of Evanston, appreciating the economic and æsthetic value of birds in the parks and city limits, passed a special ordinance prohibiting their molestation by the use of firearms, slingshot, bow and arrow, pelting with stones or otherwise, and also forbade the taking of eggs or nest under a penalty of not less than five nor more than twenty dollars for each offence.

The Governor, also, in his Arbor Day proclamation called the attention of the citizens to the necessity for bird protection and asked that exercises tending to show the value of birds be held in connection with the tree exercises.

INDIANA.—*Legislation.*—There has been no change in the non-game bird law, the A. O. U. model being still in force. The next session of the legislature will be held in 1905.

Warden work.—No wardens were employed by the Thayer Fund.

Audubon work.—The Secretary makes the following admirable report of progress:

“I have been in the thick of the work, troubling myself not at all with the way what we accomplished might work up into a report; chiefly concerned in getting in what work I could in ways that seemed to me most likely to count for the birds.

“Do you know Indiana? It is admirably located to ‘work out’ the old Roman idea of development from a center in Audubon work, as in many other things, and so a story of Indianapolis work serves as a sort of type story for a good many cities and villages in the State.

“Here we have a strong Audubon Society; not large in numbers, but large in accomplishment, considering the number. Every one works; no one has to be entertained. We have a number of open meetings in the year with interesting and timely talks or papers. Aside from this the Society expends its effort in two directions, work in the schools and in the press.

“The school work is very interesting. Every spring we muster all our members capable of being used in this way, to give one or

more afternoons each week to the school work. Then we give 'bird talks' in schools. The School Superintendent so arranges that the talks work in with the nature study the pupils are doing in their regular school routine. There were seven of us giving talks last spring, and from chance meetings with them I find that they all feel that this work among the pupils is of great value. Pupils give close and intense attention to 'bird talks,' lasting from thirty to forty-five minutes; they stay after the talk, and school is dismissed, to ask questions about the birds they have seen, nests they have found. The teachers enjoy the work almost as much as the pupils; through this work a good deal is achieved for the birds, but as one watches the interest and enthusiasm developed by the boys and girls, one cannot but see that the study of the birds does much for them. I was pushing my wheel along the banks of a creek in one of the parks, when two boys came running toward me and called as soon as within hailing distance to know if I was not the lady who talked about the birds to school 38. As soon as I said that I was they shouted 'Wait a minute; we'll boost your wheel up that bank for you,' and they not only 'boosted' the wheel but staid with me all afternoon, and I learned while with them how very much the bird work does in the way of broadening the horizon for these little ones who have so little of opportunity and know so little how to use what they have. Some of the teachers told me that the pupils had been impatient more than a month for their 'bird lecturer.' As far as we can, the State Society tries to have the bird talks given in the schools throughout the State; they were given in a good many schools last year, other than Indianapolis schools, and will be given in more next year.

"Prof. Amos W. Butler is one of our strong working members, and as Secretary of the State Board of Charities is about the State a good deal; incidentally, he gets in touch with a good many people interested in bird work and serves as a sort of Field Secretary for the Audubon Society; besides this, he starts, at every opportunity, an interest where none exists.

"Besides the school work and the work of the various societies and individuals we have attempted some work through the press. The newspapers are glad to publish anything of interest we can furnish them.

"In the year just closing Mr. Woollen furnished a series of papers regarding the birds and plants around Indianapolis. These were so timed that they could be used in the nature study work in the schools. I furnished a series of 'City Bird Sketches,' from week to week, very simple and non-technical, written after talking with some of the supervising principals, to make a sort of local guide for the teachers and pupils of the birds to be found about the city at the time. For instance, in January winter birds were discussed; in February, 'Birding on Washington Street' (Birds of the Bonnets); late February, the Bluebird; then the Robin and Meadowlark.

"This newspaper work has proved of a good deal of value and we are now planning to extend it through the State. We shall have sketches in as many of the State papers as we can get the material for, and also in at least one set of 'patent insides.' The only limit to this sort of work is the getting people who can and *will* write the sketches. Almost all our people are so busy that they think they cannot take the time to write; indeed, what Audubon work is done in Indiana is done by busy people who have to slip it in as best they may, with their regular work.

"The work in the schools receives such recognition that the city librarian has agreed to add enough bird books to meet the demands of the teachers and pupils, at least in part. This year the attendants at the library tell me that the stock of bird books was only a drop in the bucket, compared to the demand. I am now working out a list of books, numbers of copies of each needed, etc. They agree that these books shall be in and ready for distribution by the time the spring nature work opens in the schools.

"I do not know how many societies we have in the State, but the bird work, organized or not, is progressing. I had a report last week from a bird club in Hanover. This week I am corresponding with some of the teachers and newspaper people in Noblesville, looking toward an organization among those interested in the work there.

"I greatly regret that all I can give you now in the way of a report is this inadequate and informal letter. Another time, with the work in hand, I trust that I may be able to meet your requirements and send a report that can be properly so called."

IOWA.—*Legislation.* — There will be a session of the legislature in 1904, commencing in January, when an effort will be made to have the A. O. U. model law adopted. Inasmuch as only a few non-game birds are now protected, the passage of a new and comprehensive law is very important.

Warden system. — No wardens were employed by the Thayer Fund.

Audubon work. — The Secretary of the Schaller Society reports as follows: "As to our work: We have one illustrated lecture in the field and have distributed many of the excellent educational leaflets issued by the National Committee.

"Our proposed work for the coming winter will center in the one object to get a bill passed in our Legislature prohibiting trap shooting in our State.

"We would suggest and beg that the National Committee take up the subject, and publish some literature upon the matter of live bird shooting from traps, that could be used for distribution in all States where the barbarous custom is not prohibited by law. Nebraska passed such a law last winter and the 'sports' all come across the river and hold their shoots in our own State, at Council Bluffs and Sioux City. I wish you would send me a strong argument to be put into a circular for distribution for our campaign."

There are indications that Audubon work will soon be greatly extended in Iowa by the organization of other societies, which may be joined in a State body.

KANSAS.—*Legislation.* — The non-game bird law is totally inadequate as it only protects eight species and two of these may be killed, provided the owner of an orchard is willing to say that he thinks the said birds are harming his trees. An effort was made by our fellow member, Prof. D. E. Lantz, to attach the main features of the A. O. U. model law to a game bill that had already been introduced. In this he was successful, but the bill was killed owing to determined opposition to some of its other provisions. The next session of the legislature will be in 1905.

Warden system. — None employed.

Audubon work. — There is no society in the State, although there is great need for one. Prof. Lantz wrote the National Committee Feb. 12 that he was shipping daily from the laboratory of the Agri-

cultural Experiment Station nearly \$200 worth of rodent poison sold to the farmers at actual cost of the materials. This was used to kill pocket gophers and prairie dogs. There is certainly need for educational work among the farmers of Kansas who permit and probably themselves kill every hawk and owl they see, not knowing that these birds live very largely upon the very rodents that they buy poison to kill, at the rate of almost \$200 per day. It would be a far wiser and more economic movement to spend this daily sum in bird literature to circulate in the rural districts in order that the agriculturist may learn the good that the 354 species of Kansas birds are doing for the farm interests. Let some of the bird lovers of the State take this matter to heart and organize for the protection of the birds and the conservation of one of the most important assets of the Commonwealth. The press should also take up this matter, for Kansas is far behind some of her sister States whose agricultural interests in no way compare with hers.

KENTUCKY.—*Legislation.*—The A. O. U. model law is in force. The next session of the legislature will be in 1904.

Warden system.—No wardens were employed by the Thayer Fund.

Audubon work.—The society is small and rather inactive. However, there are some individuals in the State who are doing excellent work for the birds. Mr. C. W. Wilson of Mayfield writes as follows: "I am resolved to remain, or get in close touch with your grand work, and to do at all times all I can for the protection of our birds; I want to be used. When our County Teachers Institute convenes this summer I want to distribute some suitable literature and get one of the teachers to make a talk on the subject. We must reach the children of Kentucky in the common schools. I feel sure of this."

Mr. R. H. Dean of the U. S. Weather Office, State College, writes: "I have been requested by the Dean of the State Normal School to lecture before the school on birds. There are teachers in the school from over the State generally, and such a lecture properly prepared will no doubt do much good." Later he wrote: "Much interest was taken in the talk and the pictures. It is my intention to obtain as complete a set of bird slides as possible and to repeat the lecture at intervals in this institution, State College, and at other places."

LOUISIANA.—*Legislation.*—There was no session of the legislature during 1903, but one will convene in May, 1904, when a renewed and determined effort will be made to pass the A. O. U. model law. It is vitally important that Louisiana should have the very best of bird and game laws, so many of the northern birds make this State their winter home. It is useless to try to preserve birds at their breeding homes if they are to be wantonly slaughtered at their winter homes.

Warden system.—None can be employed by the Thayer Fund, although the extensive coast line, which is an ideal place for water birds, should be systematically patrolled. Without legal backing money spent for warden service is simply wasted.

Audubon work.—The report of the Executive Committee is here given in full, as it is very interesting and complete:

“Work accomplished by the Louisiana Society since the date of incorporation, November 22, 1902. Giving due consideration to the difficult conditions to be met in a fight for bird protection in southeastern Louisiana, and especially at New Orleans, the Louisiana Audubon Society may be allowed to feel some little satisfaction over the work accomplished during the last year. In one particular, the curtailment of the shooting of song birds under fancy French names at certain seasons of the year, the Audubon Society has had to face the prejudices and traditions of at least five generations. The Wood Thrush, or Speckled Caille, the Catbird, or Black Caille, the Tanagers (in fall plumage), or Yellow Cailles, the Kingbird, or Black Grassset, and the Red-eyed Vireo, or Green Grassset, have been the prey of many of the so-called sportsmen of Louisiana, but particularly of New Orleans, since the days of the first French establishments. As far as securing a prohibition of this kind of shooting is concerned, so far the Audubon Society has been unsuccessful. The ignorant interposition of the local trappers of birds, and dealers in live birds, men whose interests are affected in the case of only a few species, has defeated practically in toto the Audubon Society's efforts at restrictive legislation. The same interests that defeated a bird protection bill introduced at the 1902 session of the Louisiana General Assembly by Mr. Frank M. Miller, now President of the Audubon Society, prevented the passage of a city ordinance introduced before the

City Council of New Orleans August 25, 1903, since the organization of the Audubon Society. Protection for a host of insectivorous birds could almost certainly have been secured in either case had the Audubon Society been willing to compromise matters with the bird dealers. The crux was the trapping of Cardinals and Mockingbirds. The proposed bill in either case would have been the A. O. U. model law, and as this prevented the killing and trapping of any song or insectivorous bird whatsoever, the bird dealers stepped in and used their influence to secure the substitution of a bill drawn up in an ignorant and careless manner, and from the very nature of the point of view of its framers, giving practically no protection to song and insectivorous birds, except in the case of the city ordinance, which prohibits the sale of all birds save a few excepted species, for ornamental purposes. The few non-game birds protected from the gunner are those that happen to be the desiderata of the trappers. As these birds had to be mentioned to entrench the privileges of the trappers, it was no trouble to mention that they should be protected from the gunners. The assortment is, nevertheless, rather a peculiar one: Cardinal, Mockingbird, Oriole, Bluebird, Nighthawk, and Whip-poor-will. When the bird dealers drew up their law before the Louisiana legislature, they appeared to throw in with the names of the cardinal and the mockingbird, which are not to be molested except for 'domesticating purposes,' the names of a few other birds of which they happened to think, so as to appear to be concerned in the protection of the song and insectivorous birds of the State. In the matter of general protection of non-game birds, the city ordinance copies the State law.

"Though the actual results of legislation in favor of non-game birds is small, the question has been thoroughly ventilated, and the moment of the whole matter has been impressed on some part of the population. Education as to bird protection has been secured and their integrity and not the stock of their information will be at fault if legislators before whom the question is brought in future do not uphold the decision of enlightenment in half the States in the Union.

"As to the protection of game, the society has been able to pursue an active course, as the game laws of the State are more nearly

adequate for the conditions. Prosecutions for killing deer and papabottes (Bartramian Sandpipers) out of season have been secured, and a wholesome fear of violating such laws as do exist has been easier to secure than the winning of councilmen and legislators to the views of bird protectionists, or for that matter, in getting them to take any view but a jocular one, and even in some instances, any view but an unprincipled one.

"Five hundred appeals to the people of Louisiana have been issued since last December, and the better part of them have been circularized. A part of this appeal was published in 'Bird Lore' shortly after the appeal was issued. To facilitate the observance of the game law, the Society has issued 100 large cards giving the closed seasons. These have been distributed to postmasters and clerks of courts over the State. One hundred cards of the same size offering a reward of \$25.00 for the arrest and conviction of anyone violating the non-game or game provisions of the State law have also been issued.

"The Educational Leaflets received from the National Committee have been distributed among the members. Local secretaries have been appointed in several parts of the State. The membership of the Society at present, including associates and life members, is about eighty.

"Between the present time and the convening of the Louisiana General Assembly for the session of 1904, the Audubon Society will have a great work on its hands in bringing the question of bird protection before the legislators of the State. From the work along this line that has already been done, there will not be a great deal of difficulty in convincing the law makers from the country districts and from the smaller towns that bird protection is an essential for any civilized community. There are no indications that there will be any serious opposition from any part of the State except the southeastern, and the interests of the other sections properly aggregated will outweigh any combination of bird dealers, market hunters, misguided 'sportsmen,' and corrupt and indifferent legislators.

"One pleasant feature of the work of the past year is that the milliners of New Orleans have established with the Audubon Society the same cordial relations as have been established between

the New York Society and the milliners of the metropolis. The recently enacted law for bird protection in New Orleans carried its one good feature, the prohibition of the use of birds for ornamental purposes, to an absurd extreme, and as the law stood at first, milliners could not even handle duck, goose or turkey feathers. With the help of the Audubon Society the law was amended to protect all native birds except the above species and the dove, which practically means pigeon.

“Several considerations, including financial ones, have made it impossible for the Louisiana Audubon Society to have a delegate to represent it this year at the deliberations of the several Audubon Societies convened in Philadelphia. The executive committee trust, however, that by submitting the foregoing report they will be able to expose the conditions in Louisiana almost as clearly as if the committee were represented in the person of any of its members.”

MAINE.—The non-game bird law is still satisfactory, no changes having been made in it by the legislature of 1903. An effort will be made to protect the beneficial hawks and owls as soon as public opinion is educated sufficiently to warrant the movement. The attention of the sportsmen of Maine is called to the fact that the game laws give no protection whatever to any wild ducks except “wood duck, black duck, gray duck and teal”; all the other species of the Anatidæ are left without legal protection: This is wrong and should be remedied. The American Eider was formerly a common breeder on the Maine coast but is yearly becoming more rare owing to the fact that almost every set of eggs that is laid is at once taken by some fisherman. Unless a law is passed making a close season for a term of years, this splendid duck is doomed to extinction in this State. The spring shooting of plover, snipe and sandpipers should be abolished, as it is wrong in principle.

Warden system. — The result of the work of the ten wardens employed is very satisfactory, showing on their part great fidelity to and an intelligent interest in the trust committed to them.

Mr. A. H. Norton, a member of the Union, at the request of the Chairman, visited every portion of the coast and thoroughly inspected the wardens' work. He states: “While all of the wardens were very kind and interested in the success of my inspection,

I would like to make especial mention of Mr. Fred Rackliff, who rendered gratuitously invaluable aid; Capt. Hall of Matinicus Rock, for making my stay there successful and pleasant; Mr. Martin Talmon and wife of the same place for entertainment and many kindnesses; Mr. and Mrs. Robinson of Libby Island for acts of courtesy, and Capt. and Mrs. Small of Cross Island for entertainment and aid of much value. The work was indeed pleasant and one in which I take great interest." The report of Mr. Norton is so exhaustive and interesting that it is thought best to quote from it very freely:

"On June 20, 1903, I paid a visit to the Night Heron colony in Falmouth. This is on the main land, upon the estate of Gen. John Marshall Brown, of Portland, which is his country home, known as Thornhurst. This colony is within ten minutes' walk from a much traveled town road, traversed by an electric car line. Under date of Feb. 7, 1903, Gen. Brown wrote me that the birds have been in his woods for twenty-five years, to his knowledge, where they have been protected by him; he thinks they occupy twenty acres.

"On the date of my visit the birds seemed to be enjoying security; no evidence of shooting (which is the real danger threatening the nesting species) was observed. The nests were built near the tops of tall, slender pines and many of the young were large enough to clamber from the nest out on the branches. The crows, which were abundant, seem to destroy some of the eggs, as I found a number of shells that clearly had been broken by these birds. I visited the tern colony in charge of Mr. Cushman and found it in good condition.

"Mr. G. E. Cushman, warden, has charge of the above mentioned colony, also of the tern colony on Bluff Island. He reports an increase of six hundred terns during the season, and adds: 'The eggs were so plenty one had to walk carefully to prevent stepping upon them.'

"On June 30, I boarded at Portland the little packet 'Mineola' for a trip of 65 miles east to Port Clyde. Passing the Outer Green Island, six miles east of Portland, about half-a-dozen terns were seen over the shore of the island, one of which was carrying fish. The war manœuvres on this coast this summer, it is to be feared, may again cause these birds to abandon the place, as it is used as a base for the targets for the heavy guns at the forts inshore.

"Whenever outside islands or ledges were passed in Casco and Sheepscot Bays, flocks of from seventy-five to four hundred Herring Gulls were seen resting upon them, though none are known to breed west of No-Mans-Land off Penobscot Bay.

"At Metinic, in a swamp well protected by undergrowth and very difficult of penetration, fresh signs of Black Ducks were found, and near the house of Mr. Snow, owner and warden, several nests of Savanna Sparrows and Spotted Sandpipers were seen. He then took me to Metinic Green Island, the home of thousands of terns, the only Laughing Gulls now known to breed in Maine, and of a good number of Sea Pigeons and a few Leach's Petrels. This is one of the largest Tern colonies in Maine, vying with Machias Seal Island for second rank to Matinicus Rock. A very large proportion of these are the Arctic Tern but the Common Tern is in good numbers. None of the young were yet large enough to fly but were in well fledged condition, while many nests with eggs were still to be found, and one had to walk with care to avoid stepping on nest or young.

"The adults were very tame, and this applies also to the Sea Pigeons and even the Laughing Gulls. Quite a number of the Pigeon's nests were found but none had hatched.

Eight Laughing Gulls were counted at one time, and three nests were found containing eggs. The colony was in an excellent condition at the time of my visit. Mr. Snow had a notice posted at each landing, and Metinic was well supplied with them. With the protection now afforded it is to be expected that the Laughing Gull, now nearly exterminated in Maine, may again become well established.

"I then proceeded to Deer Isle as a base of operations in Penobscot and Jerico Bays. Mr. Fred Rackliff, who is well acquainted with the sea birds and their ways, and is a boatman of excellent skill and judgment, most generously supplied a small boat and outfit and accompanied me on this trip, making it possible to cover much more satisfactorily than could have been done with a sail boat, these bays of small and rough ledges.

"We visited in Jerico Bay, Southern Mark Island, on July 4. Two Eider Ducks were seen to leave the shore. One nest was found containing two eggs; by placing one of these in a pool of

water it was found to be nearly or quite fresh. An empty Black Duck's nest was also found here.

"On the western point a colony of about 200 Common Terns was found. These had been robbed of eggs, as two empty nests to one with eggs were found, and no young were discovered.

"Mr. Rackliff visited this island last year and found that only a few pairs were there then. On the same day we found at White Ledges, locally called Way or Whale Ledge, an Eider Duck's nest with four eggs, also two empty nests. We saw a small flock feeding, which swam away, but four ducks with one drake remained not far away, and were supposed to be birds making this ledge their home. This small ledge is in two parts, each part containing less than half an acre. The birds all breed on the southern one, which is low; it is covered with coarse gravel and small pebbles, bound together with a small amount of turf, supporting five or six species of sea plants.

"This is rapidly yielding before the storms of winter, and possibly one or two winters may close the history of this resort. With the influence of protection there is much probability that the birds will adopt one of the near islands or ledges as a breeding place; without this these ducks will no doubt leave the bay entirely, thus reducing the number, already small, very seriously. Here we found five gulls' nests, in one of which the eggs were just hatching.

"The 'Three Ledges' just east of Fagg Island, where we camped, and the Green Ledge, a little south of the three, where a small number of terns were breeding last year, showed only two or three empty nests; it seemed reasonable to suppose the new colony at Southern Mark Island was composed of the birds which were here last year.

"On Saddle-back Ledge, where one or two pairs of Eider Ducks are said to breed, we saw no ducks nor found any nest; one or two could easily have been overlooked. On the northern part of this island we estimated the terns at 300, and on the southern part at 100; some eggs had evidently been taken, but the condition was better than at Southern Mark Island. Quite a number of young terns were found and the adults, though wilder than at Metinic Green Island and Matinicus Rock, were less so than at Southern Mark Island.

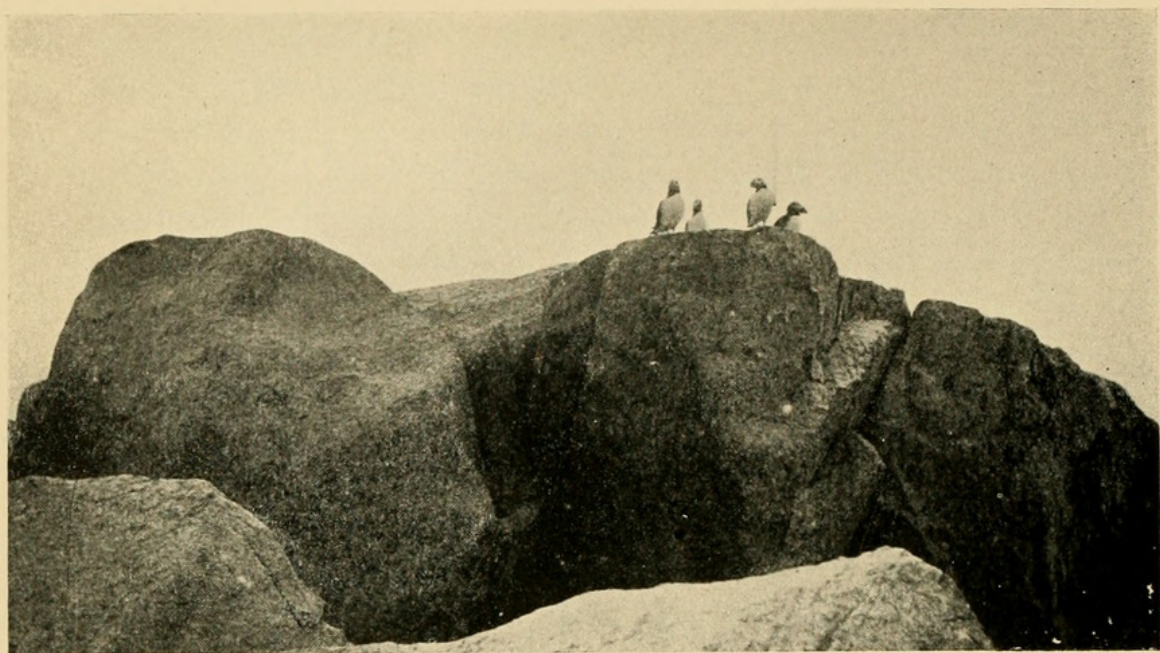


FIG. 1. PUFFINS, MATINICUS ROCK, MAINE.
Most southerly breeding place on North Atlantic Coast.

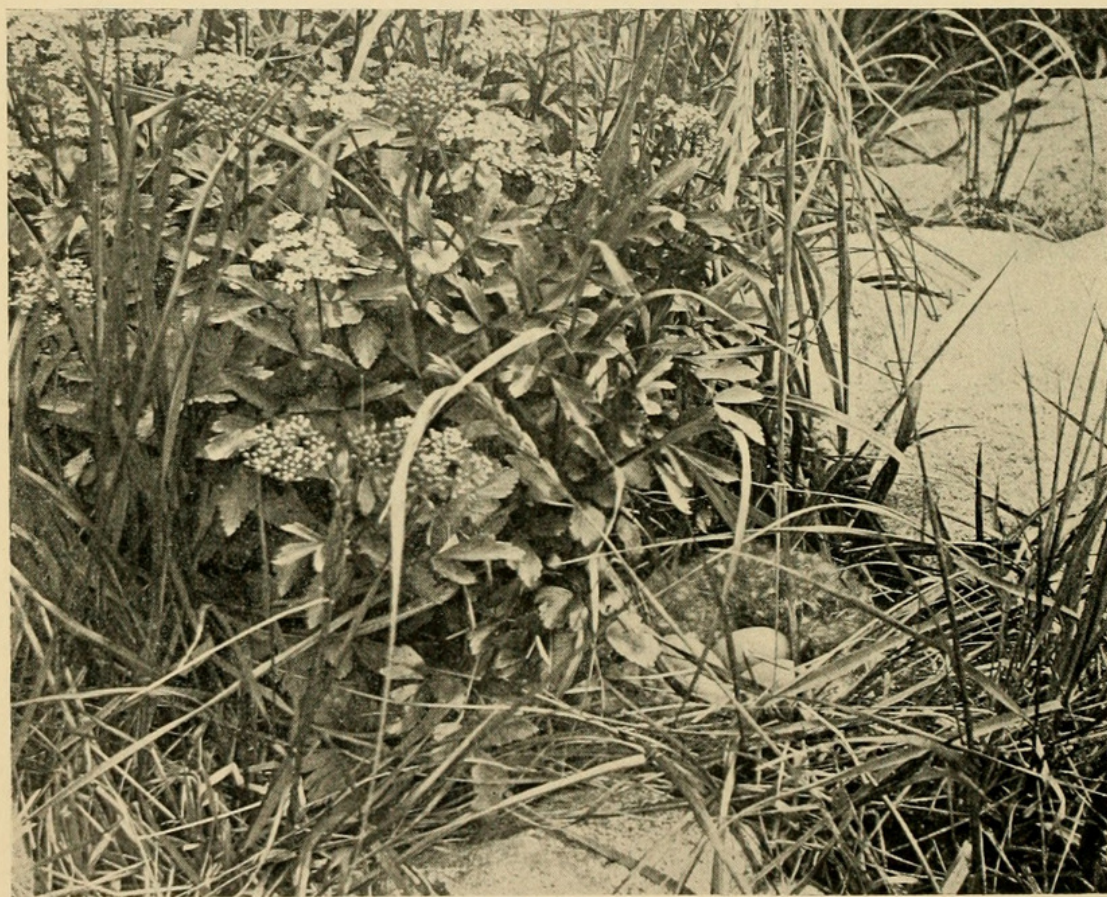


FIG. 2. NEST OF AMERICAN EIDER DUCK, MAINE COAST.

"At Great Spoon Island we found only Petrels, Spotted Sandpipers, Song and Savanna Sparrows. At Little Spoon Island, we found two pairs of terns and about four hundred adult gulls, which had hatched well, and seemed to have suffered little or no disturbance.

"Gulls were still breeding on the Black and the White Horse Ledges, but no young were seen nor were any empty nests observed. Cormorants were present but no nests were found.

"At Spirit Ledge no gulls nor terns were breeding, but we saw four Eider Ducks and found three nests, the eggs in neither of which seemed advanced in incubation, while one of them contained an incomplete set of eggs. A few Sea Pigeons were probably breeding, but it was impossible to find a nest.

"At Black Rock we found two gulls' nests with eggs, and four Sea Pigeons were probably breeding.

"On Heron Island we found a colony of gulls numbering a thousand or more. This colony was in excellent condition, very few eggs being found. The gulls were tame and the young were abundant. We found two Night Heron nests here, and it seems likely that this bird may increase.

"At Haulibut Ledge about one hundred Common Terns were breeding on the southeastern ledge. No young were seen. Here we saw no Eider Ducks nor any nest, but Capt. Conary informed me that notwithstanding the fact that none have bred here for a few years, he discovered a nest this year with five eggs which he believed would hatch. As I found the excrement of a brood of young birds, not terns, in several spots under flat rocks on the shore, there seems little doubt that this nest hatched as predicted.

"In concluding with Jericho Bay, I found that while the birds seem to be shifting to some extent, they are also collecting into better colonies for protection, and are increasing quite rapidly. The Southern Island colony is practically a new one and probably a permanent one. At both Saddle-back and Haulibut Ledge the increase since your first report is gratifying.

"The same may be said of the Herring Gulls, *i. e.*, they are uniting and increasing quite rapidly; while decreasing on the smaller ledges, for instance White Ledge, and disappearing from Spirit Ledge, on Heron Island the increase is decided and grati-

ying, the colony containing not far from a thousand adult gulls against four hundred in your first report. (*Cf.* Auk, XVIII, p. 99.)

"The increase at Little Spoon Island is less decided, probably owing to the fact that this is an outside island and suffered less (than Heron Island) before protection became so well established.

"The few Eider Ducks here are the remnant of a once goodly number breeding in this section. I think they are still robbed of their eggs. Every effort must be made to save this noble duck as a summer resident and breeder, not only for Maine but the United States. If it could be possible to give the breeding colony absolute protection for a few years we could reasonably expect a good result, as has been shown by the gulls and terns. Though this bird, within the memory of the present generation of middle-aged men, bred from the western side of Penobscot Bay easterly to the present location of the colony, and at several other places east to Machias Bay, it is now reduced to the small number breeding in Jericho Bay, and a colony on Old Man Island.

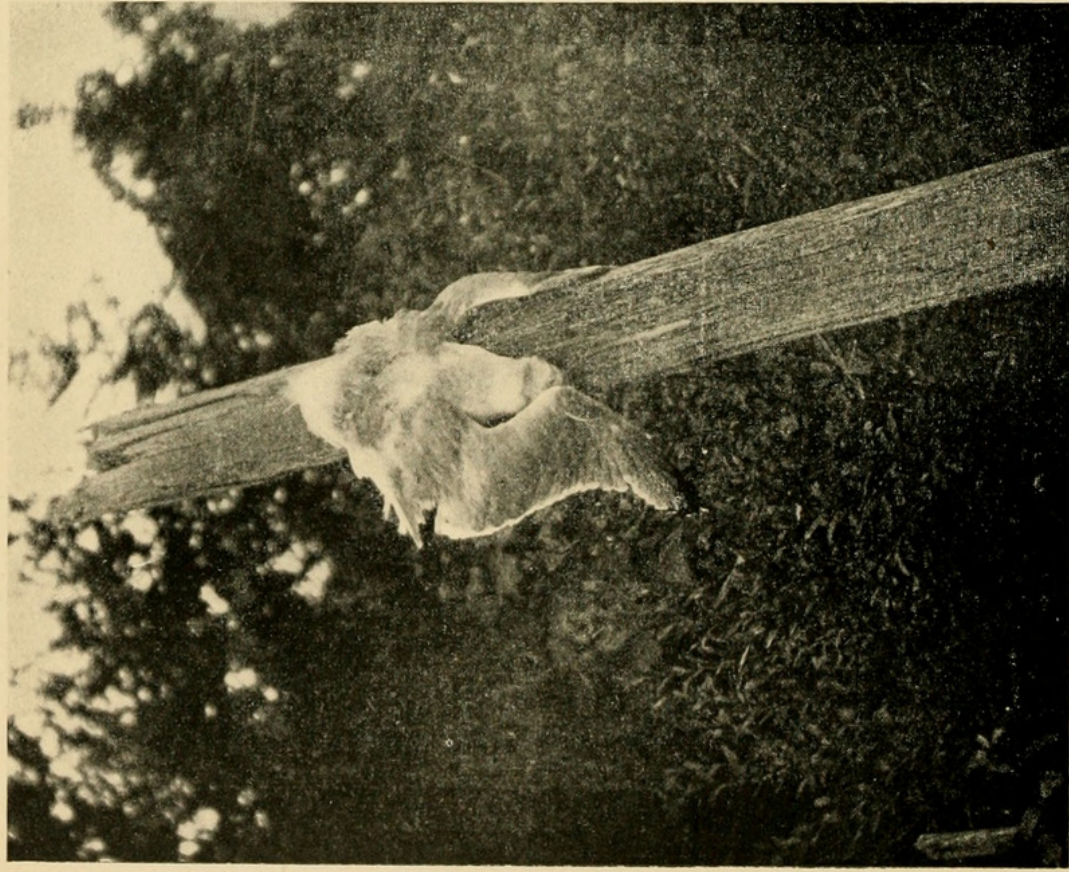
"With the exception of the extinction of the Masons Ledge and Green Island colonies, the Sea Pigeons seem to suffer no molestation. In this bay their nests are nearly inaccessible.

"Finishing the inspection of this bay July 13, we went to Penobscot Bay to investigate the condition of the colonies under the care of Capt. H. T. Ball of Eagle Island.

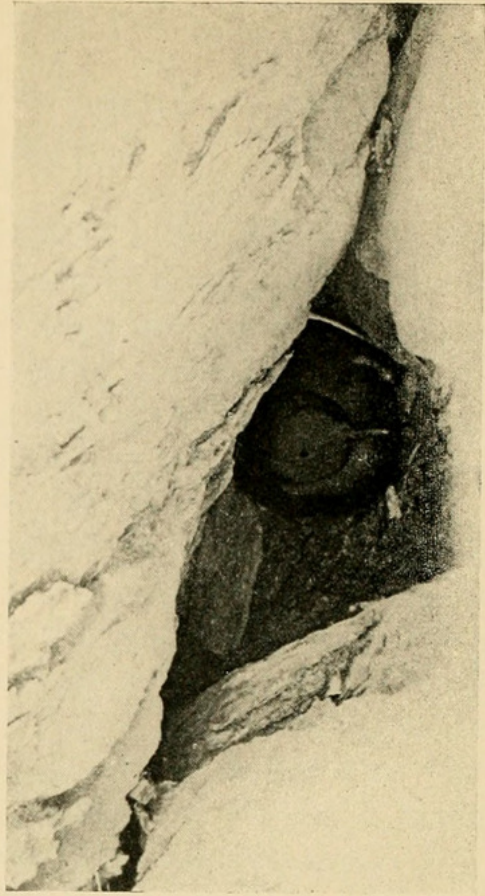
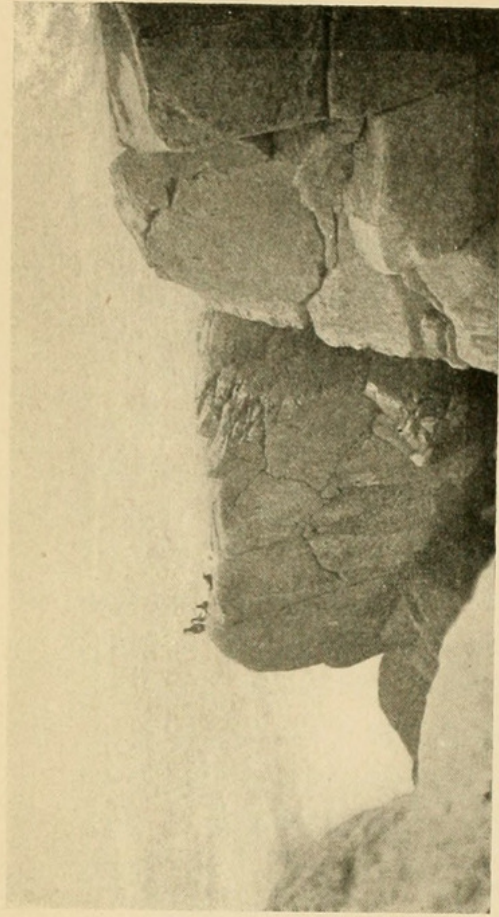
"Sheep Island was occupied by a colony of Fish Hawks which had ten nests which I saw.

Colonies of Terns were found on Sloop Island and Channel Rock on July 17. On Sloop Island fifty nests with eggs or young were found; probably 75 to 100 pairs breed here. On Channel Rock, a small pinnacle-like ledge with grassy top, about fifty terns were breeding. I was convinced that some eggs had been taken from these islands. Notwithstanding these facts many small young were seen, and the adults were moderately tame.

"At Bradburys Island it was impossible to get ashore without finding one of the warning notices well placed. That the colony of Herons had not been disturbed seemed certain. The luxuriant undergrowth had not been trampled around the rookery, and we found the Great Blue Herons pleasingly tame. A few young were



HERRING GULL, CAUGHT BY FOOT IN SPRUCE STUB,
GREAT DUCK ISLAND, MAINE.



BLACK GUILLEMOTS, OR SEA PIGEONS, ON A PROTECTED ISLAND
IN MAINE.

taking short flights from the nest, and most of them were well grown. Every nest seen was clearly occupied. Here the birds breed in a piece of woods extremely difficult of penetration by reason of fallen logs and a dense undergrowth of shrubs and weeds. In a two acre lot 20 nests were counted, and this was a small section of the area covered by the birds. Capt. Conary informed me that a small colony of these birds had started breeding upon White Island, owned by himself.

"July 18, 1903, we visited Great Duck Island, and it seems needless to say that the colony was in excellent condition. Not a nest containing eggs was seen. The adult gulls allowed one to approach within 36 feet in some instances, and settled again as soon as we had passed. The young ran before us like flocks of hens, whenever we rounded a turn in the road. Mrs. Stanley, wife of the warden, said, 'We had as soon any one would come ashore and carry off one of our hens as to take one of the gulls.'"

Great Duck Island is probably the most ideal spot on the Atlantic coast for a bird colony, as it is some distance from the mainland. The birds all congregate at the southernmost end of the island, where the Great Duck Lighthouse is located. The head-keeper of the light is the warden and is deeply interested in the welfare of the colony. He reports: "The area occupied by the birds this year is materially larger than during 1902, and as near as I can judge, about 3,000 young gulls were hatched and reached maturity. In addition to the gulls some 2,000 Leach's Petrels were also raised, besides numbers of several species of land birds. The mortality among the adult and young gulls was quite heavy; the former were killed by being caught in brush or trees and the latter principally by being dashed against the rocks by the heavy surf. I estimate that not less than 500 gulls were killed by these several causes."

There is also a large colony of Herring Gulls on Little Duck Island, the increase of the colony in 1903 being about 1,300 birds. The warden, Mr. D. Driscoll, reports that the birds were not molested.

Resuming Mr. Norton's narrative: "On July 22 I was landed on Matinicus Rock; fog, heavy sea and wind combined to keep me here until the 28th, giving ample time to observe this interesting resort for birds.

"The mortality of Terns at this rock, as at all other places in Maine, has this year been very slight. Capt. Hall and his assistants have observed that during a brief period of mortality, earlier this year, the old birds were bringing very little food ashore.

"Capt. Hall has the esteem of his assistants, and they all take a personal interest in the birds, and it is evident that the latter receive absolute protection. They are almost without fear of man, and I had an excellent opportunity to observe them at short range; large flocks could be gathered at the boat slip by use of fish livers or anything that would float. As they alighted upon the rocks or hovered close at hand, the field glasses made their identification as Arctic Terns positive. It was only the day before I left the Rock that a small number of Common Terns were found. These were back of the beach on the inside of the northeast point. Many of the young terns were on the wing, some being with their parents as far away as Matinicus.

"Nearly all of the Sea Pigeons had young and were busy bringing food ashore. This seemed to consist entirely of rock eels (*Gunnellus gunnellus*).

"Four Puffins are here this year, an increase of one pair since last year. These were so tame that I crept, mostly in open sight, within thirty feet of them, focused my camera, and secured a photograph of the whole group. I did not see them carry fish ashore and doubt if they had young at that time. Mr. Talmon, one of the light-keepers, is sure that he had seen them carry food this year. There being no mistake about this, it is my opinion that the young died of some natural cause. Their nest, if they had one, had not been discovered. It is much to be hoped that these birds shall receive especial care, and none be taken for any purpose whatever until a safe increase has occurred.

"It is interesting to note that six Laughing Gulls paid a temporary visit of a couple of days to the Rock this spring.

"On July 28, Mr. Martin Talmon of Matinicus Rock Light took Capt. Mark Young and myself to No-Mans-Land. We were under obligations to Capt. Hall for his naphtha boat on this occasion. Capt. Young took much pains to show us about the island, and his gulls. These latter were in their usual excellent condition, showing the unmistakable evidences of unmolested birds. The young were

everywhere to be found, often running before us in little flocks, while the earliest ones, just beginning to fly, rose and circled over the island or settled again a short distance away. Some were a short distance from shore with the old birds. These were the first young gulls seen on the wing. Capt. Young justly takes considerable pride in the magnitude and good condition of this colony; he runs a gang of lobster traps around the island this summer, and while attending to the business of fishing, pays almost daily visits to the place. This constant oversight, coupled with his determination to protect the birds, insures them absolute security.

"A few Petrels were to be found breeding here. Colonies of from 10 to 40 Sea Pigeons are on Green Ledge, east of Matinicus, Two Bush, and Two Bush Ledge, between Matinicus and No-Mans-Land. These have not been disturbed.

"July 29, from the steamer 'Frank Jones,' examination was made of the colonies of Terns on Ship and the two Barge Islands. On Ship Island a colony of some size, fully equal to that seen last year, was observed, and on the Western Barge 50 to 75, while on the Eastern Barge 20 or 30 were ashore, and rose as we passed near their resort.

"This day was consumed in reaching Jonesport; the following one, July 30, was lost owing to a dense and persistent fog, my boatman not being willing to go out. The next morning was clear and an early start was made for Cone and other islands.

"Cone Island is the least satisfactory of all the colonies. Capt. O. Cummings informed me upon my arrival at his station, that the gulls have not bred well this year, but many use the island as a resting place. This I found to be true. Indeed, only three or four gulls acted as though they were breeding, by hovering over the island and cackling at our approach. The ground was so swampy that no nest was found. These were the only gulls ashore. On the knolls, several different ones, on the sea beach and at certain wet places the quantity of freshly dropped feathers bore indisputable evidence of the visits of gulls habitually. It was said that these visits were made during the high water, at which time the birds do less fishing than on the low water.

"I found the notices well posted. Capt. Cummings said that the only explanation he could offer for the few birds breeding was

that his station, which is one-half a statute mile (coast survey measure by me) from their breeding ground has been receiving extensive repairs, the carpenters making the usual noise of this trade. He also stated that the foxes liberated there some time ago are dead. This I could not verify. I was also told by him that about 200 gulls were breeding upon Flint Island, and about 100 terns on Pot Rock; the former is quite a high, large island. I took considerable pains to go here and land, and walk across the island and up on its highest part, but no gulls were to be found at this time. Pot Rock is very small, and landing was impossible, but by passing near it, I am sure that no terns were breeding there. I found Capt. Cummings very kind, obliging, and seemingly anxious to do his duty to you. Yet his manner made me especially particular to investigate each statement made by him.

"To summarize: There are practically no gulls breeding on Cone Island this year, nor are there, so far as I now know, any between the Duck Islands and Pulpit Rock. Many Gulls continue to rest on Cone Island.

"After visiting these places I directed our course to Egg Rock, which was swept by sea during June, 1902, causing the terns to abandon it; a colony of several hundred terns is now re-established. These I believe to be mostly Common Terns. This rock is much exposed and surrounded by a shallow shore, and as the sea was extremely rough I was not able to land; leaving the launch, I rowed in a small boat as near as possible and discharged a gun. This caused all of the old birds to rise from the rock at once, giving a view of the entire colony. This rock is but one and a half miles from Capt. O. B. Hall's station and in open view of it; it is very well located for protection.

"Proceeding from here to Freemans Rock the same results were experienced. No young terns were seen at sea in this section of the coast nor indeed at Libby Island. The Freemans Rock terns are largely Arctic Terns. In addition to the terns and guillemots on this rock, terns on Egg Rock, and Black Ducks on Great Wass Island, Capt. Hall has a colony of about a dozen Blue Herons on Great Wass Island.

"July 31 I started from Jonesport for Cross Island, and all colonies between these points. The sea had abated during the

night, and with the assistance of Mr. Daniel French, warden and deputy sheriff, a thoroughly skilful surf and boatman, I was able to land on all rocks and islands where birds were breeding.

"Pulpit Rock was the first in the course. This at high water forms two separate rocks, but at a little ebb tide the connection is completed; nevertheless owing to the perpendicular walls of the outer rocks one cannot reach its top from the inner one, but must make a separate landing at a particular shelf, and even this is done at some hazard in calm weather, and not at all in moderately rough weather, hence the central part is seldom visited, judging from appearances. The inner part is much easier to land upon and I believe that some eggs have been taken from it. As we approached about 50 Double-crested Cormorants rose from the rocks and flew about for a few moments before leaving. A thorough search of both parts of the rock revealed none of their nests, and Mr. French said they had not been known to breed there.

"A few Sea Pigeons breed here, fifteen old birds being seen and one nest with young was discovered.

"While the gulls present were estimated at eight hundred to a thousand, I think that comparatively few of the number breed, for if they did one could not step upon these small rocks without walking on the nests; in reality the nests are quite scattering. Almost all had hatched, and the young were hiding in clefts of the rocks on the outer rock, which is the highest and largest, and is devoid of all vascular plants. On the inner rock they also hid in clefts, and under the vegetation, which was rather abundant. Here we found two nests with eggs.

"Most of the young were nearly large enough to fly, and frequently with startling screams leaped over the crags, using their wings to break the fall, landing rather clumsily, but unharmed on the covered rocks below.

"On the outer rocks the birds, I think, had been practically unmolested and not seriously on the inner one. Probably the number of gulls breeding is between two and three hundred. It is five nautical miles from Libby Island Light and a little more than ten from Crumple Island.

"Our next stopping place was the Brothers, two islands of high

granite ledge covered with vegetable loam, and the decaying remains of a spruce forest. At half tide, or even higher, they are connected by a bar. On the western one possibly two pairs of gulls were breeding, but the nests or young were not found. On the eastern one a good sized colony of gulls was breeding, probably a thousand or more. The southern seaward side of this island presents a perpendicular wall of granite nearly a hundred feet in height, and many gulls breed in perfect security upon its rifts and shelves. Many young were seen here nearly full grown, hiding upon the gray rocks where their colors were in harmony with their surroundings. On the top of the island, among the fallen logs and elsewhere, many nests were found; quite a number still contained eggs and some had clearly been robbed. I believe that more eggs had been taken here than at any other gull colony in Maine. Yet many young were also found, showing that the eggging had been sporadic. The birds were, on the whole, not seriously interfered with and were tame. I also discovered that some Petrels breed here.

"It is a fact of interest that as I walked over the top of the western island a gull dashed many times at me, coming within five or six feet of my head. Terns frequently do this but gulls very seldom.

"Libby Island Light was next visited. We were directed to North Libby Island where the terns breed. This is an excellent island for their needs and probably 1000 to 1500 terns of both species are here. Mr. French who kept Libby Island light for eleven years previous to 1895, and visited the place on this date, the first time since leaving there, assured me that the increase since that time is at least 75 per cent. The colony occupies the entire eastern end of the island, which is a quarter of a mile wide, while the length of their area is somewhat less. Most of the young were fully fledged and sat upon the rocks of the shore, flying as we approached; a few small young and a few eggs were also seen.

"From here we went to Cross Island, where I remained with Capt. Small at the Life-saving station. He very kindly gave me much aid in securing a boat for Machias Seal Island.

"As the next morning (August 2) afforded a 'good chance' to

go there, well knowing that it might be days before another opportunity came, we took an early start. When half way across two young terns with their parents were seen at sea. When about four and a half miles from the island the first Puffin was seen flying homeward.

"Machias Seal Island consists of the island which bears the name, containing about twenty acres, and Gull Rock, containing about two acres. They are separated by a shallow passage, passable to small boats at low water. Gull Rock lies a quarter of a mile east of the northeast point of Seal Island. This is a low granite ledge without soil, much seamed and cracked. The seams in a few instances afforded nourishment for beach plantains and *Tissa marina*. The rock is covered with a greenish yellow lichen.

"This ledge is completely swept, it is said, by the sea during heavy weather, and was swept during the rough weather experienced July 31 while I was at Jonesport. Notwithstanding this statement many young terns of various stages of growth were seen here, and indeed the colony seemed to be in a good condition.

"These islands are little visited except by the lighthouse attendants, and this rock is exempt from the causes which have acted on Seal Island. This rock affords no opportunity for other birds to breed.

"Machias Seal Island is also a low island with an abundance of vegetable loam and is well clothed with herbage, chiefly grass. The variety of plants is surprisingly small, and most of the characteristic ones of the region are absent. It rises like an isolated hill-top from the deep, submarine plain, and is swept on all sides by the powerful tide current from the Bay of Fundy. Indeed, this current is one of the potent factors to be considered in reaching the island, for in a calm a craft is at its mercy, being borne onward as it happens to run.

"The island has no beaches, the only semblance to one being strewn with angular blocks of granite. The southern and southwestern end is a mass of granite, presenting an impassable barrier to the ocean's storms. This rises not more than forty feet above sea level; yet, though so fully exposed, the sea is never known to have broken across the island, as it frequently does at Matinicus Rock which is much higher.

"History shows that two centuries ago hundreds of seals resorted here to rear their young.

"Of the birds the most interesting are the Puffins. These breed in a pile or windrow of large angular blocks of granite, which have the appearance of a sea wall. Doubtless the wall was formed by the action of the sea during tempests of extreme violence, but at ordinary times the sea does not come within two hundred yards of it, and between it and the sea line grow grass and other land plants. I am told by Mr. Everett Smith of Portland, who visited the island about twenty years ago, and Mr. A. C. Bent of Taunton, Mass., that no Puffins breed elsewhere in the vicinity of Grand Manan. This fact gives an additional interest to this colony and emphasizes the importance of having it thoroughly protected.

"The Puffins are much tamer than Sea Pigeons and are possessed of great curiosity, or, it might be said, they are less prudent than Sea Pigeons. From the edge of the rocks where they breed it is certain that their nesting will not be much interfered with, but shooting the birds must be constantly guarded against.

"Inspection of the mass of rocks where they breed shows considerable quantities of straw scattered in every passage to the bed rock, dropped by the birds in building their nests. By watching them go in and out to feed their young, one could easily see that every opening of the wall leads to several nests, probably a nest at the extremity of every passage. While 33 Puffins was the largest number seen by me at one time, Mr. John Ganang, superintendent of the masonry of the Lighthouse Department, who had spent more than a week here in his official capacity, told me that three hundred is the number resorting here. Mr. Ganang's statement I considered entitled to confidence as I found him to be a gentleman of candor, judgment and refinement, and with a fondness for birds and plants.

"This indicates an increase in the number of Puffins during the twenty years that have elapsed since Mr. Smith's visit, when sixty was the number. But this is the natural outcome of the protection afforded them by Captain Seeley, a protection which seems to have been absolute.

"It was a most interesting spectacle to see the top of the wall adorned by the above-mentioned 33 Puffins, resting here seemingly

and probably in social enjoyment before leaving for the fishing grounds. They were more restless than Sea Pigeons and moved about with an awkward walk, and frequently flapped their wings. On leaving they went away from the island entirely, and for the next three hours, had one arrived here only two or three would have been observed.

"After the time mentioned one came from the sea and circled about, then another and another, until ten were circling. In this flight they passed over their nests and then circled towards the sea, which limited the outer edge of the circle, then returning to repass the nest, thus describing a perfect circle or, as Dr. Coues expressed it, a 'wheel'. But frequently they took a course across the center of the wheel, and described a letter S. Often as they passed over the nest they uttered a deep sound, which though in several syllables had a resemblance to a groan issuing from the chest. I could not determine whether each bird held several small fish in its bill, or a squid with dangling arms. From the direction they came, the northward, it would indicate that their feeding ground was in the direction of Grand Manan channel and the course of the several I have seen at sea supports the indication.

"Upon alighting they hurried without delay into the wall of rocks, often two or three into the same opening, and with little pause they reappeared and put out to sea. Hardly had these disappeared when another party returned, and so onward; they did not arrive in these compact groups, but came singly and in pairs, and being delayed by our proximity, gathered into flocks.

"Common and Arctic Terns evidently were the only terns breeding here, and this year I did not see even the *Sterna portlandica* phase of the latter. These birds occupy the entire island for breeding, but have decreased since my last visit. Those remaining were quite tame, and no dead ones were seen to indicate shooting. The lightkeeper keeps a dog and a cat, and I was told that the dog ate many eggs and the cat caught quite a number of birds. The wife of the assistant keeper told me that they had killed their cat, owing to its destructiveness to the birds. I asked the value of the dog, suggesting that we would be glad to have it off the island. His answer was evasive, but he said he would make provision to send it ashore. Owing to the lateness of

the season and the delay incident to communicating with the shore it is doubtful if this is done. If another year could be begun free from such drawbacks it is probable that the birds would abundantly prosper.

"Probably 3000 terns are still upon the two islands. As the Seal Island is covered with grass the young are not easy to find, and very few were seen; some had already flown, as I saw them at sea.

"The Light is supported by the Dominion Government and it seems quite important to impress upon, not only the keepers of the lights, but also the inspector of the district, the need of protecting the birds here *now*. The keepers are furnished not only with rations but drinking water from ashore, requiring frequent trips of the supply vessel. The discipline is less strict than on our light-house boats and the crews, in part at least, wander over the island at will, and it was insinuated that the birds are the sufferers. I posted three notices here and one on Gull Rock as you wished.

"This island is the location of some of the largest Petrel colonies of Maine, the birds burrowing into the soft earth on every part of the island. These had suffered some destruction, as the wings of a number were seen near the buildings, no doubt having been caught by the cat, as the burrows had not been disturbed.

"Owing to the distance of this place from any shelter, sailing men are not willing to remain out over night, and indeed few are willing even to go there except with perfect weather conditions.

"At five p. m. we started on our return, reaching Cross Island at midnight. Curiously enough, the next day dawned calm, and a trip to the Seal Island would have been impossible.

"This morning Capt. Small took me over to the Old Man Island where we were able to land and examine the condition of the gull colony. Everywhere among the trees the ground is covered with a dense tangle of brambles and weeds making travel very difficult. There were here no indications of any disturbance of the gulls or their nests. The latier were placed along the shore on the edge of the precipice and on shelves of the cliffs. Search among the weeds showed many young concealed there. This island is in direct view of Capt. Small's station.

"Capt. Small told me that a good-sized colony of Eider Ducks

breed here. On this particular morning (Aug. 3), none of the birds were at the island, only one having been seen in the channel half way across to Cross Island. The morning previous, however, as I sailed for Machias Seal Island, about a dozen females were seen close to the shore of the Old Man, and flew about as we passed it. It affords secure concealment for their nests, none of which we saw. I was told by two other men, Capt. Fred Walden of Cross Island, and Capt. Ackley of Cutter, neither having any knowledge of Capt. Small's statement, that this duck breeds on the Old Man. Unmolested ducks would have been hatched some time previous to this visit, so no time was spent in looking for their nests.

"On the same morning we visited the Double Headed Shot. The outer one of these islands only is inhabited by the gulls, perhaps fifty in number. This colony, although near Capt. Small's station, is not increasing. My attention was attracted to the signs of minks on this island, and as it is said that ground or beach nesting birds cannot increase where these mammals exist, I was led to account for the small number of gulls here through this cause. It is to be expected that this island will be abandoned by the birds in a short time.

"On August 8 I inspected the last colony, that at Bluff Island in Saco Bay. This is a colony of Common Terns, probably numbering now nearly a thousand. Strattons Island, which is close at hand, is not inhabited by the birds. These terns have long been protected by the owner of the island, Mr. Jordan. Their feeding grounds extend from near the Saco River to Cape Elizabeth, the largest number resorting to the river mouths at the Scarborough marshes. At the time of my visit large numbers of the young were fishing here with their parents, and at low water they sat in large numbers upon exposed sand spits. On the island some young were just hatching, and all stages of growth were still to be found. Quite a number of abandoned nests with faded eggs were found. Haying operations were in progress and a number of dead young were found which had been accidentally killed. Upon the whole the colony was in good condition and the increase has been a positive one.

"I took the opportunity of posting muslin warning notices on all of the islands visited.

"At one point I was told that gull shooting was still practised at Eastport ; while waiting at Lubec for the steamer to Portland I made a trip to Eastport, but I saw no shooting. The City Marshall there was well acquainted with the law and assured me that no shooting is done now. The conditions certainly are gratifying, and it is the subject of general comment all along the coast that the birds are much more numerous and tame than they have been for years."

Mr. Norton has also prepared a special report on the ' Food of Protected Birds on the Maine Coast,' which on account of its great interest and importance is here subjoined in full.

"Notes on the Protected Birds on the Maine Coast with Relation to Certain Economic Questions."

"The most important determination concerning the food of the protected bird was the demonstration, in support of previous observations, that the Gulls and Terns are insectivorous to a considerably greater extent than has generally been supposed.

"I have known for several years that the Common Tern feeds, in this State, to a great extent upon the large winged ants which swarm along the coast. Other insects often occurred in the stomachs examined.

"The Arctic Terns were supposed to be more thoroughly piscivorous, but the examination of six or seven stomachs last year showed that they also eat ants to some extent. One of the four stomachs examined this year was filled with adult moths belonging to the Noctuidæ.

"Wishing to preserve a series of young Herring Gulls, half a dozen of different sizes were taken on Little Spoon Island. Upon examining their stomachs it was found that this series, taken on the low water, contained almost no fish, but all contained ants in varying quantities, only one being full. The contents of this full stomach was analyzed by Dr. Sylvester D. Judd of the Biological Survey, with the following result: 1 bug, 12 carabid beetles, 1 click beetle, 1 scarabæid beetle, 1 cerambycid beetle, and 384 ants, *Camponotus pennsylvanicus*. Dr. A. K. Fisher informs me that 'These insects are all neutral and of no great economic impor-

tance.' However true this latter statement is generally, locally the ants are regarded as injurious to the white spruce and fir which compose the largest part of the arboreal flora of the coast of Maine. While there is no proof that they kill the trees, they quickly fill the dead trunks with their burrows and impair the value of the wood for fuel. The fact that Gulls feed upon grasshoppers is variously attested at Matinicus.

"From the very complex conditions governing the habits of marine animals, little of a positive nature can be derived from the fishing habits of these voracious, almost omnivorous, birds.

"It is, however, stated by the United States Fish Commission that the 'Gulls probably feed more upon herring food than herring themselves.' (Cf. Moore, Rept. U. S. Fish Com., 1896, Appendix 9, p. 404.) It might with much truth be said enemies of the herring. The squids, *Loligo peali* and *Ommastrephes illecebrosus*, are acknowledged as the natural enemies of this fish. Both gulls and terns feed upon squid, the extent undoubtedly being governed by their abundance and the ease with which they are to be captured. Both at Little Spoon Island and No-Mans-Land pieces of large squid, *Loligo peali*, were seen in the nests of gulls, with the young birds. Both at Matinicus Rock and Machias Seal Island, squids, *Ommastrephes illecebrosus*, were found to enter into that of the Arctic Tern. While these creatures are enemies of the herring, they are an important article of bait for the fishermen, and enter to an important extent into the diet of the codfish and pollock.

"While it is probable that the gulls do not seriously trouble lobster fry, it is, on the other hand, clear that they render the lobster fishery a service in destroying large quantities of sea urchins at certain seasons. It is an acknowledged fact among lobstermen that the lobster is partial to rocky bottoms well clothed with kelp (*Laminaria*), where hiding places are abundant amid protectively colored surroundings.

"The herbivorous sea urchin (*Strongylocentrotus drobachiensis*) cleans the bottom of marine vegetation, to the detriment of the lobster's interest. The Eider Duck and American Crow also feed extensively in winter upon the echinoderms.

"It is by some claimed that the gulls are injurious to pasture, and even that they kill the trees where they breed. Concerning the last

statement, it is based upon imperfect observations, for while it is true that the gulls seem to be very partial to areas of dead and decaying wood lots, as they are at Little Spoon, Heron, Duck, Otter and Brothers Islands, and also formerly Cone Island, it is highly probable that they are attracted there by the security they afford, and in no small degree by the abundance of insect food, as I have just observed they use. On the other hand, it has clearly been determined that the spruce is subject to the attacks of several insects, to a serious extent. This matter has been made the subject of a bulletin by the United States Department of Agriculture (Bulletin No. 28, Division of Entomology, 1901, N. S.).

"Not only are the lumber regions affected, but the islands as well; two instances having fallen under my notice. One of these cases was a tract of several acres of standing spruce on Metinic Island, certainly not used by any sea-birds. The other one is the island of Seguin, once heavily wooded but now, through the attack of an insect, entirely devastated. Beyond the possibility of a question, no birds were instrumental in this destruction. The other islands named, where the gulls now breed, undoubtedly owe the death of their timber to a similar cause and in no way to the birds.

"Here it might be emphasized that these dead trees are often riddled by the large ants, which are eaten so extensively by the gulls and terns.

"Concerning the question of the birds injuring the pasture, the belief is based upon equally unscientific grounds. I have observed that some of the islands having a surface soil composed of deposits of drift, gravel and loam of varying coarseness, yield an abundant return in hay or vegetables. As instances, I can mention Bluff, Metinic, Metinic Green Islands, the two Green Islands east of Metinic, parts of No-Mans-Land, Matinicus, Seal and Libby Islands. Of this list Bluff, Metinic Green, and Libby Islands are now the homes of many terns, which cause no complaint from sheep raisers on account of the pasture.

"Metinic Green Island, which has only three sheep, has a stand of hay waist high, while Bluff Island returned a profitable harvest of the same product this year.

"The two Green Islands formerly supported large colonies of terns, while the smaller one had, in former days, a colony of about

50 Laughing Gulls. One of these has for many years been used as a farm and the other as a pasture, but no complaint was ever heard of this richly soiled island being injured by birds. Seal Island was also similarly inhabited by terns, previous to the millinery demand for their skins, but now is without birds, except Petrels; yet it has an abundance of grass and clover in spots.

"Certain other islands, as Otter Island, Great Spoon, Cone, and the Brothers Islands, and a large part of Little Spoon Island, are covered with a deep stratum (in some places certainly three feet deep) of red vegetable loam, quite unproductive.

"As striking instances of the unproductiveness of the pure vegetable loam, Matinicus Rock and Machias Seal Island are to be mentioned. At Matinicus Rock successful gardening is confined to three or four vegetables, cabbage, endive, parsnips, and perhaps another, potatoes, beans, etc., dwarfing. In such crevices and pockets as contain soil, it is wholly of the kind under consideration.

"At Machias Seal Island the soil is quite similar, and similar results were found until gravel from the ash heap was abundantly supplied, when the conditions improved.

"The complaint against pasture damage was from Little Spoon Island. This is an island of diversified conditions, forest or vegetable loam, shallow gravel over ledges, and some profitable drift loam. The pasture is not abundant, and the complaint is wrongly placed upon the birds.

"In conclusion, Heron Island affords interesting conditions. There the grass crop was good, but not equal to that of many other islands. The flock of sheep was not equal to its pasturing possibilities, much of the grass maturing and raising seed. It was there very noticeable that the sheep fed very largely in the proximity of the gulls' nests; that part of the island where fewest gulls were breeding was little grazed by the sheep. There it was quite evident that the gulls did not render the feed distasteful to the sheep, as the latter could have abandoned the part of the island where the birds were abundant."

Audubon work.—The Society was organized late in 1902 and now has a membership of 200, scattered throughout the State. One of its objects is "To cherish an interest in birds and encour-

age the study of Natural History." It now has six local branches. During the year large numbers of warning notices, furnished by the National Committee, have been distributed. By the courtesy of the Vice-President of the Maine Central R. R. Co. warning notices were displayed in all of the steamers of the line and also on the steamer 'Frank Jones' of the Portland, Mt. Desert and Machias Steamboat Co.

MASSACHUSETTS.—*Legislation.*—During the session of 1903 several improvements in the bird laws were made; herons and bitterns are now protected and the possession of any such bird or part thereof, whenever or wherever taken, shall be punished by a fine not exceeding ten dollars for every bird or part thereof; the open season for snipe and plover is shortened six weeks in the spring, shooting not being allowed after March 1. The anti-plumage wearing clause is made to include birds not heretofore protected. The legislative sessions are held annually.

Warden system.—One warden was employed on the Weepeeket Islands, who reports that the terns breeding there passed an undisturbed summer and made a normal increase. In this connection it is a pleasure to refer to an article by Prof. Lynds Jones in 'The Wilson Bulletin,' No. 44, September, 1903, pp. 94-100, entitled, 'The Terns of the Weepeeket Islands, Massachusetts.' This paper is a very valuable contribution to the life history of the terns and confirms in every respect the report of warden Charles O. Olsen.

Mr. George H. Mackay, who has so long and successfully protected the gulls and terns of the Muskegets, writes: "They have enjoyed the same protection as heretofore, having been cared for as usual. Both the Terns and Laughing Gulls have had a good season and the latter especially show a very considerable increase. I think, regarding bird protection as a whole, that we now have the public pretty well on our side. It has taken some years to accomplish it, but we are practically there. Little remains to be done now in this State except to prohibit the sale during the close season of shore, marsh, and beach birds taken outside the State."

At the suggestion of Mr. Mackay the special report of Mr. Frederick A. Homer regarding the terns of Penikese Island is appended in full. This report shows so conclusively what perfect

protection will do for a colony of birds, and is so encouraging to all bird lovers, that it is with pleasure the Committee gives it the widest publicity :

NEW BEDFORD, MASS., Oct. 8, 1903.

MR. GEORGE H. MACKAY,

My Dear Sir:—

Yours of Sept. 30 at hand and noted.

This has indeed been an exceptional year for the terns of Penikese. Their number seems to be increasing yearly, and all the people who have had occasion to notice them say, as I do, that they have never seen so many before. Having been disturbed but little during their breeding season the result was an early hatch of great numbers and a very early departure for their southern home. There have been no crippled young this year, as we had no sheep, and we have had to destroy only about half-a-dozen for damaged wings, etc.

A boatman of this city who displayed about a dozen eggs was arrested and fined \$20. He probably will not take any more eggs, and it will be a warning to others.

The writer spends four or five days of each week at the island from first of April to last of November, and there is hardly a person lands on the island without his cognizance or permission, and there is no reason why these birds should not increase rapidly. My observation leads me to state that they do increase, and if they were not molested at the south, where I understand they are captured in great numbers for their wings, Penikese would not be large enough for them. I have noticed for the past few years an increasing number nesting on the neighboring islands and on the main land to the north of them.

Of course one must take some interest in these creatures who visit you yearly whether you are willing or not, but I can see that in a few years, unless we extend our cultivated land, we shall have more of them than we care for; this is in the future, however.

My notes very carefully taken record the following :

May 7.— Early in the morning, weather cool and hazy with wind very light from the east, the terns arrived in full force.

May 24.— The first egg was found by the writer.

June 25.— The first young tern was found.

July 14.— Some of the young could fly.

August 4.— The terns commenced to leave in small flocks.

Sept. 14.— They had deserted us entirely.

My brother and myself have had a very enjoyable season at the island in spite of the rather unfavorable summer weather; now we are having the weather of the year for our pleasure.

We have had no plover at the island yet, in fact very few shore birds stopped here.

Yours, with kind regards,

(Signed) FREDK. A. HOMER.

Mr. Jno. E. Howland of Vineyard Haven, a true sportsman who takes great interest in the protection of birds, writes: "We had more Heath Hens on the Island the past fall than in any season for fifteen years past. I was at the South Shore a number of times, and should say unquestionably all gulls that summer with us were more numerous than a year ago. I have never seen more Laughing Gulls about than this year.

"Regarding the rookery of Night Herons, I am pleased to say that, as far as I know, not a gun was fired or an egg taken. Our club own both sides of this rookery and we hope to purchase this piece; we have about four hundred acres in two plots. The Heath-hen if let alone for a few years will be quite plenty. Quail were more numerous than any season in ten years past."

Mr. Ralph Hoffmann, a member of the A. O. U. Protection Committee, reports as follows: "The beneficial hawks and owls are still outside the pale. We hope to do something for them this winter.

"The question of further protection for shore birds is one that has especial interest for the writer of this report. I should like to see the open season for the big birds shortened, and the little birds, including the Least, the Semipalmated, Bonaparte's, Solitary, and Spotted Sandpipers, the two Ring-necks and the Sanderling, excluded from the list of game birds and protected throughout the year. These confiding birds do not offer sport in the sense in which the more wary birds are said to offer it, and a community that is becoming steadily more interested in living birds can put these birds to a better use than as food. I venture to prophesy that it will at some future time seem as strange to us to offer peep in the market as it does now to see sky-larks in the French and Italian markets.

"Capt. Collins has, as heretofore, seen to it that existing laws for the protection of birds are well enforced."

Audubon work.—The report of the Society shows continued and successful activity. "Since the last report the Society has gained 346 members, making the total number of persons enrolled 5,708. There are now 116 local secretaries, covering 117 places.

"The work of distributing circulars, including a large number of Educational Leaflets, has been carried on as extensively as last

year, and a good number of copies of the laws have been posted. Two illustrated, traveling lectures have been almost constantly in use, and many expressions of appreciation have been received. Four traveling libraries have been circulated continuously.

"All violations of law brought to the notice of the Society have been reported to the State officers, the Fish and Game Commission.

"There has been a good demand for the two bird charts published by the Society, and a new calendar for 1904, is to be issued this fall.

"The following meetings have been held: A course of six lectures, by Mr. Frank M. Chapman; a free lecture or public meeting, by Mr. William Lyman Underwood, which was much enjoyed; and a field meeting, or bird walk, open to Associate members, to which a few Junior members were invited.

"A suggestion received by us could, perhaps, be best carried out by the National Committee, if it approved the plan, and I am asked by our Directors to refer it to you for consideration, namely, an exhibit at the World's Fair in St. Louis, in 1904. Such an exhibit, if participated in by all, or by most of the societies, would show something of the work that is being done, and open the eyes of those who have not yet considered the subject. The leaflets and specialties (such as our bird charts and calendars) published by each society could be shown, and the addition of stuffed birds from which the feathers most objected to are taken, together with a few beautiful hats that are approved (with perhaps a few objectionable ones as a contrast), would make it interesting and striking."

MARYLAND.—*Legislation.*—The next session of the legislature will commence in January, 1904, and an effort should be made to amend the present law so it will follow more closely the A. O. U. model law.

Two of the most valuable birds in the State, *i. e.*, the Flicker and Mourning Dove, do not receive full protection. This is a short-sighted policy, as both are far more valuable as insect and weed-seed destroyers than they are for food. The State Fish and Game Protective Association should take this matter in hand and urge the substitution of the A. O. U. model law for the present statute.

Warden work.—No wardens were employed by the Thayer Fund.

Audubon work.—The Society seems to have become moribund. This is to be regretted, as the necessity for active protection and educational work was never greater than at the present time, nor was there ever a period in the history of bird protection when so many people are ready to take an interest, if the matter is properly presented to them. The National Committee is small in numbers and has so large a field to cover that it necessarily depends upon local effort to accomplish local good.

MICHIGAN.—*Legislation.*—As proposed in the last annual report, an effort was made to amend very slightly Section 14, Public Acts of 1901. The amendment passed the House but was not successful in the Senate, therefore the non-game bird law is unchanged. The next session of the legislature will be in 1905.

Warden work.—One warden was employed to guard a very large colony of Herring Gulls, which occupy a rocky island in the northwestern part of Lake Superior, just south of the International Boundary. These birds had an uninterrupted breeding season and consequently a normal increase.

It was discovered that a taxidermist of Detroit was preparing for millinery use gulls and terns contrary to law. The matter was brought to the attention of the proper authorities, and they interviewed the party, who did not deny the fact, but promised not to offend any longer.

Audubon work.—During the present year the Michigan Ornithological Club was reorganized. One of its objects is the study and protection of birds. It publishes a quarterly journal devoted to birds and is thus doing a valuable educational work.

MINNESOTA.—*Legislation.*—During the session of 1903 the A. O. U. model law was adopted. The next session of the legislature will be held in 1905.

Warden system.—No wardens were employed by the Thayer Fund.

Audubon work.—The Secretary reports: "During the year several articles on care and protection of birds have been published in our papers, upon request of the Society.

"A society has been organized by Mrs. Mary E. Lewis at Grand Rapids, Minn.

"Mrs. J. B. Hudson, of Lake City, again exhibited her collection of birds' nests at the State Fair, while Mrs. Chas. W. Aker exhibited weeds furnishing food for birds.

"Next year we hope to obtain slides for stereopticon lectures."

The Duluth Humane Society is taking an active interest in bird protection and offers a reward of \$10 for information which will lead to the arrest and conviction of any person killing song birds or robbing nests.

MISSISSIPPI.—*Legislation.*—Section 1134 of the Annotated Code, 1892, protects three species of non-game birds, *i. e.*, the Mockingbird, Catbird and Thrush; all of the other valuable non-game birds are without protection.

There is ample reason for the following editorial in 'The Meridian (Miss.) State': "Bird protection is going to be made an economic issue in every Southern State before many days, and the army of sentimental advocates will be reinforced by the utilitarians, who, while caring nothing for the beauty of the feathered songster or the music he makes, are very much alive to his usefulness in exterminating insects that kill crops, and are determined to stay the hand of the snarer and wanton bird killer before it is too late and the insects have taken possession of the land. Wherever common sense prevails, this cause will find advocates, and the 'State' would like to see bird protection made an issue in Mississippi politics next year."

The next session of the legislature will commence in January, 1904, and it is the imperative duty of the members to pass the A. O. U. model law, which has already been adopted by the following Southern States: Virginia, Kentucky, North Carolina, Tennessee, Georgia, Florida, Arkansas, and Texas.

South Carolina, Alabama, Mississippi and Louisiana are the only Southern Coast States that give none or but little protection to their valuable birds.

MISSOURI.—*Legislation.*—None was accomplished. Why the effort for a satisfactory law was defeated is best told by officers of the Audubon Society.

"And what of Missouri? Solitary and alone she stands in her humiliation and helplessness. Her general assembly has adjourned with contemptuous indifference toward her needs in

this regard, leaving the song birds of her forests, the game birds of her fields and mountains, and the fish of her sparkling streams at the mercy of the market hunter and the ruthless destroyer, the patrons of cold storage warehouses, the trapper and the dynamiter, all of whom may soon be expected to wipe out what little wild life yet remains in the State, after the previous years of unbridled and defiant slaughter.

“Why does Missouri occupy this unenviable position? For a year or more the Secretary of this Society, assisted by the two other members of its Executive Committee, has been laboriously at work drafting and creating a bill which has been pronounced nearly perfect by the judicial and expert authorities of other protected States, by the U. S. Department of Agriculture, and by various Agricultural and Horticultural Societies of Missouri. The bill was submitted to the Joint Committee upon bird and game legislation in the Senate and House at Jefferson City and, with a few unimportant changes, adopted as their own. The two committees were not only satisfied with the bill, but were in a measure enthusiastic over it. No doubts were expressed about its passage; but, in the meantime, delegations from the game dealers and patrons of cold storage warehouses visited Jefferson City to oppose the bill. Immediately after their departure enthusiasm for the bill waned in the Senate, and when it was reported a furious onslaught was made upon it by a senator who led the opposition to a similar bill two years ago. The bill was loaded down with injurious amendments, and sent back to the committee, where it slept forever afterwards, despite the efforts of the Audubon Society to have it reported; the bill died with the session without the Senate getting an opportunity for a final vote.

“In the House the bill was never reported, but remained in the hands of the committee. It is unnecessary for us to make any statement as to why the bill was not pushed in the Senate for he who reads can understand.

“Gov. Dockery’s request in a special message to the General Assembly for effective game and bird legislation, the pleadings of thousands of Missourians and the Press throughout the State to enact better protective laws, were treated with the utmost contempt and disregard by the joint committee on bird and game legislation.”

Some further light is thrown on this matter by the St. Louis 'Star' in its edition of July 1: "About the cruelest thing perpetrated by the boodlers in the last Legislature was to defeat the bill of the Audubon Society for the protection of the birds. Men must be greedy indeed, when protection must be bought for the feathered songsters."

The next session of legislature will be held in 1905.

Warden system.—No wardens employed by the Thayer Fund.

Audubon work.—The officers of the Audubon Society, with commendable pluck and nerve, say: "Notwithstanding the failure to get legislation at the recent session, the Audubon Society does not purpose to give up the fight. It believes the great majority of the people of Missouri are in favor of bird, fish and game protection, and it further believes that their voice must finally be heard."

MONTANA.—*Legislation.*—The non-game bird law is imperfect, inadequate and not enforcible, as the penalty is altogether too severe. The ordinary juryman will not convict when a penalty is out of all proportion to the magnitude of the violation.

The next session of the legislature will be held in 1905.

Warden system.—No wardens were employed by the Thayer Fund.

Audubon work.—There is no society in the State, and seemingly little interest exhibited by the citizens, either in bird study or protection.

The press of Montana should agitate the matter and enlist the sympathy of the public in this important subject.

NEBRASKA.—*Legislation.*—No change in the non-game bird law. At the last session of the legislature a law was passed prohibiting pigeon shoots at traps. This excellent measure was the result of the united efforts of the Nebraska Humane Society and the Omaha Audubon Society.

The next session of the legislature will be held in 1905.

Warden system.—No wardens were employed in this State.

Audubon work.—The Nebraska Ornithologists' Union is doing excellent work in popularizing the study of birds in the State and in uniting all the students in a Union that cannot help exerting a good influence for bird protection. "At its last annual meeting the

Union elected enough new members to make the total present membership reach the goodly number of nearly two hundred, and it has also ratified all that has been done in connection with establishing an Audubon auxiliary in the State.

"The amount of bird protection sentiment which we found in the State Legislature was something most gratifying. There are three members of the present State Legislature who are members of our Society.

"At the State Horticultural Society the sentiment in favor of bird protection developed in the discussions was not only unanimous but surprisingly strong."

The Department of Public Instruction has issued a pamphlet for the use of the schools of the State, entitled 'Special Day Programs,' among which is 'Bird Day'. Thirty-three pages of valuable ornithological matter is presented in a popular form that teachers can use to advantage to interest and instruct the children.

An independent society has been organized in Omaha that has been doing an aggressive work among the children. The Secretary presents the following very interesting report:

"The Omaha Audubon Society was organized June 23, 1902. In looking back over the fourteen months of the life of our Society, the Secretary is more gratified than otherwise, not that we have accomplished so very much, but that we are in a way now to do much.

"Our energies so far have been expended upon the children; and we consider our greatest accomplishment the enrolling of over ten thousand junior members last spring. More than fifteen thousand Audubon buttons were sold to school children in the year. We have chosen the Meadowlark as our representative bird; and his friends are many in the State. We enjoy the enthusiastic coöperation of the teachers, many of whom are numbered among our members.

"During the year some thirty-five different schools were visited by our President, Dr. Towne, and Vice-Presidents, Arthur Pearse and Rev. John Williams. The children have taken up the work with an enthusiasm very gratifying. We have gained the friendly coöperation of the police and have printed over the signature of the Chief of Police, warnings against the destruction of birds, their

nests and eggs. These warnings are posted in the parks, woods, and all places frequented by birds. We discovered there was a veritable egg collecting industry among boys; this we reported to the game warden and the police of the city, and it will be stopped.

“We have no arrests to report, but a number of ‘conversions’, results of mild persuasion.

“We were instrumental in the passing of the Loomis bill prohibiting live bird-trap shooting. Another bill of ours, prohibiting the plucking of live birds or fowls, was passed and went into effect the first of last July. We presented a resolution at the last general meeting of the Woman’s Club endorsing the action of the New York Audubon Society and Millinery Merchants Protective Association, which was passed; nearly all the women present pledged themselves not to wear the plumage of any of the prohibited birds. We are now trying to bring about an agreement with the retail millinery trade of this city.

“This may look like a small year’s work, but it was done by busy people. We have been sorely hampered by lack of funds, and for that reason, our distribution of circulars and literature has been far from what we would have wished.

“We have great hopes for the coming year. We intend this winter to extend our paying memberships and otherwise increase our treasury that we may be able to carry out our plans for literature, tracts, etc. We are desirous of placing the charts of the Massachusetts Society in our schools.”

NEVADA. — *Legislation.* — In some respects the non-game bird law is good, but it needs to be made more comprehensive in order to protect the beneficial hawks and owls, and doves at all times instead of only a portion of the year. The next session of the legislature convenes in 1905.

Warden system. — No wardens were employed. There are many shallow lakes and tule marshes in Nevada where large numbers of birds still breed. If the funds at the disposal of the Committee during 1904 will permit the expenditure, wardens will be engaged to protect the grebes, gulls, terns, ducks, avocets, herons, pelicans and other water loving birds during the breeding season.

Audubon work. — No society has as yet been organized in this State.

NEW HAMPSHIRE.—*Legislation.*—No change in law. A. O. U. model law in force.

Warden system.—No wardens were employed by the Thayer Fund.

Audubon work.—The Secretary submits the following résumé: "The work of the Audubon Society has been substantially a continuation of that of last year.

"The illustrated lecture entitled 'Our Personal Friends, the Birds,' with the accompanying lantern, has been loaned to all who applied for it. The circulating library has proved to be very welcome in the small town where books concerning birds are difficult to obtain. Leaflets and circulars have been distributed at large. Publications which have been specially in demand are Mr. Hoffmann's 'Help to Bird Study,' Miss Merriam's 'How Birds affect Farm and Garden,' and Prof. Weed's 'Mission of the Birds.' Other pamphlets issued by the Biological Survey and the A. O. U. have proved to be of great interest. Special effort will be made next year to circulate the series of Educational Leaflets published under the auspices of the National Committee of Audubon Societies.

"The Bird Charts are still in demand and have been supplied free of cost to schools which were not in condition to purchase them.

"The 'Outline of Bird Study,' prepared by our Society and adopted by the school committee of Manchester, has been introduced into several other cities and towns.

"The State Fish and Game Commission has coöperated with us in the enforcement of the existing bird laws, which are in conformity with the A. O. U. model law. Fines have been imposed by the commissioners. As there has been no appeal from their action no cases have as yet come into court."

NEW JERSEY.—*Legislation.*—The A. O. U. model is still in force. During the legislative session of 1903 the clause in the game law permitting the killing of Flickers for two months in the year was repealed and spring shooting of snipe or shore birds was stopped. These amendments were decidedly advance movements. New Jersey will do well to follow the example of New York and Virginia in stopping spring shooting of wild ducks and geese. It

is wrong in principle and wasteful to kill any game birds while they are on their northward migration to their breeding homes.

Warden system.—Two wardens were employed and were visited by Mr. W. D. W. Miller, a member of the A. O. U., who makes the following exhaustive report.

“Beach Haven.—On July 6 I arrived at the breeding grounds below Beach Haven, which are under the protection of Captain Rider of the United States Life Saving Station at this point. Here I saw over one hundred Laughing Gulls flying about over the grassy marshes where they breed. Noted less than half as many terns. All of whom I inquired told me that the latter were scarce. Clapper Rails were common. With Captain Rider I searched for nests but was unable to find a single one of any kind. The reason for our failure was, according to the Captain, that the unusually high tides in June had swept away all the eggs and young of the gulls and rails. Why we could find no nests of the tern he was unable to say, as this bird nests on higher ground than the others.

“Of other birds noted the most interesting was the Piping Plover, and as there were two of these birds together it seems probable that they were breeding. Ospreys are scarce here.

“Stone Harbor.—I arrived at Captain Ludlam’s station at Stone Harbor on July 7, and stayed until the 9th. I found this warden greatly interested in the birds and their preservation, and from all I could hear he had strictly protected the birds in his vicinity. According to him the number of Clapper Rails which started to breed had been very large this year and the gulls had been of about the same abundance as the year before. The number of gulls’ nests had been approximately three hundred, but all of these, together with the young rails, had been completely destroyed by the abnormally high tides of June 22 to 25.

“I saw several hundred gulls at one time over the breeding marshes here. Found none of their nests, however. The captain had been told that the gulls do not make a second attempt to breed if their first set is destroyed, and he now believes this to be true, for he had seen no signs of rebuilding since the tides had subsided nearly two weeks before. Clapper Rails were heard commonly, and with little effort we found two nests, containing six eggs each.

Terns were very scarce here, apparently even more so than at Beach Haven, for I saw not more than fifteen all told.

"I noted no Least Terns nor Black Skimmers at either locality visited. Both species formerly occurred at these points.

"As being practically the only breeding grounds of Laughing Gulls and Common Terns on the New Jersey coast at the present time, it seems to me very desirable that the protection of these two colonies should be continued. The success of the terns largely depends upon the prohibition of all spring shooting after they have reached their breeding grounds. I was informed by Captain Ludlam that large numbers of terns arrived at his locality in the spring but were driven away by the shooting, a very small number remaining to breed. If spring shooting is stopped and the birds rigorously protected the terns will undoubtedly increase in numbers."

Audubon work.—The Secretary reports as follows: "The Audubon Society has 566 members, the greater part of the new ones being children. During the past year two leaflets have been written by members of the Society. Altogether over 1,000 leaflets have been sent out, and about 125 letters written.

"An effort will be made during the coming year to insure the protection of Robins, and also to create more interest in birds among the children in the State.

"Fifty-three towns and fifteen counties are represented in the Society."

NEW MEXICO.—*Legislation.*—The non-game bird law of this State is fairly comprehensive and if properly enforced will protect the birds. In addition, Sec. 3, of Chapter 51, Acts of 1899, gives authority for any owner or lessee of lands to post his premises and thus prevent any person shooting thereon. A violation of this provision is a misdemeanor.

The next session of legislature will be held in 1905.

Warden work.—No wardens were employed by the Thayer Fund.

Audubon Society.—There is none at present in the Territory.

NEW YORK.—*Legislation.*—No change was made in the non-game bird law; however, the game law was greatly improved by the passage of a bill introduced by the Hon. Elon R. Brown abol-

ishing spring shooting of ducks and geese. These birds cannot now be legally killed in New York State between January first and September fifteenth. Other beneficial amendments were made regarding possession, sale and transportation of woodcock, quail and grouse.

Sessions of the legislature are held annually.

Warden system.— Three wardens were employed by the Thayer Fund to care for the breeding colonies of terns on the north and south ends of Gardiner's Island and on Fisher's Island. The latter colony suffered somewhat from the swarms of rats on the island. The warden used poison to destroy them and in one day found 47 dead ones near the nesting grounds. The south colony on Gardiner's Island was flooded early in the season and many eggs were destroyed, while the north colony was raided by a boat's crew from the U. S. vessel 'Chesapeake', who took many eggs. Notwithstanding these unfortunate incidents the birds made a fine increase. During the southward migration in September larger numbers of terns were seen on the New York coast than for many years. In New York Harbor, as far up as the Jersey ferries, it was not unusual to see a score or more of them while crossing the Hudson River.

During the past year suits were commenced against two of the large department stores of New York for having on sale protected birds. In both cases the defendants settled by payment of a nominal fine and the entire costs in the cases, thus establishing the legal fact that protected birds cannot be sold for millinery ornaments in New York. These suits were started before the agreement was made between the Millinery Merchants Protective Association and the New York Audubon Society and the American Ornithologists' Union.

In many parts of the State the farmers and sportsmen are organizing associations for the protection of game and birds in their several localities. These societies will be the means of doing a great amount of real protective work.

The Chairman of the National Committee has suspected for some time that illegal shipments of live native birds were being made from the port of New York. This suspicion was verified last spring when he caught a dealer, one G. Seville, with a large

number of Bluebirds, Red-winged Blackbirds, Song and Savanna Sparrows in his possession. The arrest of the dealer followed; he escaped from the State and is now a fugitive from justice.

Audubon work.—The Society is aggressively active, as its report shows: "The Society has kept steadily at work during the past year, but there is no gauge to measure the annual harvest. It is to be hoped that the seed sown may be of a perennial nature.

"Immediately following the annual meeting last year in October, 1500 warning notices to dealers were sent out, calling the attention of the entire millinery and game trade of New York to the law of the State for the protection of birds, and stating that the New York Audubon Society would bring action in every case of violation brought to its notice. The determined and dignified stand thus taken was, undoubtedly, directly responsible for the proposition made last spring by the wholesale milliners of New York which resulted in the step, considered by many the most important event in the history of bird protection, namely, the agreement between the Millinery Merchants' Protective Association on the one hand, and the Audubon Society of the State of New York on the other. The conditions of this agreement saves our American song birds from the clutches of the millinery trade, and banishes from the American market all gulls, terns, grebes, hummingbirds, and after January, 1904, even the 'Bonnet Martyr,' the egret, for the term of three years.

"In addition to the 'Warning to Dealers,' this year the Society has issued 'The Aigrette: An Appeal to Women,' by Mrs. May Riley Smith.

"The Educational Leaflets issued by the National Committee, of which we are sending out 10,000 copies, we find invaluable. Would that every child in the State might own a set of them!

"The law posters have been more widely distributed this year than ever. Finding that lack of sufficient appropriation would prevent the Forest, Fish and Game Commission from complying with our request that the law should be posted on all lands belonging to the State, the Society furnished 1,000 muslin posters, which the Commission placed throughout the Adirondack region. The secretary of the Adirondack Guide Association was also sup-

plied with 100 muslin posters, which were scattered throughout the Fulton Chain. In all nearly 4,000 posters have been distributed throughout the State by the Society.

"That the attempt to place them in all stations of the New York Central R. R. system met with failure is a matter of regret.

"A large quantity of our literature was sent to the State Fair at Syracuse.

"The total number of leaflets distributed during the year is over 18,000.

"A lecture by Miss Mary Mann Miller, especially adapted to children, has been added to our lantern outfit. Not as many applications for the use of the lantern and slides have been received this year as might be wished, but we hope, by means of this new lecture, to greatly increase the demand for them. The outfit will be loaned to any responsible person in the State of New York, who will comply with the conditions.

"The Society has given out many more sets of the colored wall charts issued by the Massachusetts Audubon Society. Besides being loaned to school and club rooms, these charts have been placed, in many instances, during the summer months, in public libraries, thus keeping them constantly in use. Most gratifying reports come to us of the pleasure they give and the interest in bird study they arouse.

"Twelve new Local Secretaries have been appointed during the year.

"The New York Society grows slowly; the total membership is 4,207.

"Mr. Chapman kindly gave a lecture for the benefit of the Society, at Delmonico's, which netted over \$350. This financial help enabled the Society to contribute \$100 toward the funds of the National Committee, and no money has been more gladly paid out from the treasury of the New York Audubon Society.

"The marked increase in requests for lecturers that have come to the Society during the year, indicates a strong advance in popular interest in bird study.

" 'The New York State Assembly of Mothers' annually sends for a report of the Society's work. This organization is one with which it is most important to be affiliated.

"A constant watch is kept at Albany upon all bills introduced in the legislature, that no backward step shall be taken to disturb the present law.

"Owing, undoubtedly, to the general circulation of the 'posters,' many complaints of illegal shooting have been reported. In one instance a farmer was charged with boasting of having shot 25 robins in one morning; due steps were taken, the local warden informed, and Audubon leaflets sent to the offender. A letter has been received from the latter saying that he had been maligned, that he realized now the value of the birds to agriculture; whether this change of opinion is due entirely to the higher education produced by reading Audubon leaflets, or comes from a salutary fear of legal action on the part of the Society, the result is satisfactory, in that the popping of the gun is diminished.

"The New York Society has lately run upon a rock which has for a time wrecked our hopes in one community. A local secretary had succeeded in attracting a little group of children and was entering enthusiastically upon the work when a man appeared shooting promiscuously, and telling the inhabitants the secretary had no business to interfere with him, as he had a 'permit.' In a short time the town was demoralized, and the secretary disheartened. The matter ought to meet with the utter disapprobation of all bird lovers, for it shows a serious danger which in its moral effects might prove of even greater harm than 'murderous millinery.'"

NORTH CAROLINA. — *Legislation.* — During the last session of the legislature a game and non-game bird law was enacted which embodied all the main features of the A. O. U. model law. In other respects the game law is far in advance of any law that has ever before been in force in this State.

Warden system. — During the past breeding season three wardens were employed, all of whom did effective and valuable service. From their very frequent reports to Secretary Pearson of the Audubon Society, under whose direction they worked, we have the assurance that the coast breeding birds, such as gulls, terns, skimmers and snipe, have enjoyed a freedom from persecution that has long been absent. The reports show a very material increase in the bird life of the coast region. It is proposed, as far as the

funds at the disposal of the National Committee will permit, to continue the protection in order to save from destruction the water birds that migrate from the north and winter on the North Carolina coast. It seems unwise to preserve the bird life on the North Atlantic coast if it is not to be cared for in its winter home. Of one of the wardens Secretary Pearson says: "We must keep this valuable man in our service. I have never met a man who knows him who does not declare him an exceedingly strong and fine character. I believe most profoundly that he is doing a grand work in educating public sentiment in that coast country."

The shallow sounds and water ways of the North Carolina coast are so very extensive that it seems imperative that the chief warden should be furnished with a good seaworthy power boat, in order to move rapidly from place to place. The naphtha launch experiment in Florida has proved so very successful that the National Committee feels warranted in urging the friends of bird protection to make special contributions toward a fund for the immediate purchase of two 25-foot naphtha launches, one for use in North Carolina, and the second in Northampton and Accomac counties in Virginia.

Audubon work. — Audubon work is progressing finely in this State. Some details are furnished by the Secretary: "The work of the Audubon Society of North Carolina for the past year may be summed up under four heads.

"*First*, the securing of legislation which extends protection to the non-game birds, and gives the Audubon Society the power of naming game wardens throughout the State.

"*Second*, Efforts to build up the membership of the Society.

"*Third*, The cultivation of a better sentiment throughout the State for bird and game protection. To this end over fifty thousand circulars have been distributed, articles prepared and published in the press of the State, and the Secretary has given more than thirty public lectures and talks on the subject. A junior department has been established, with Mrs. W. C. A. Hammel, of Greensboro, as Secretary.

"*Fourth*, The securing and paying of Bird and Game Wardens. By the aid of the Thayer Fund three wardens were kept on the coast the past summer with the result that about two thousand

Wilson's Terns, Royal Terns and Black Skimmers were reared, where heretofore probably not over one hundred have been reared annually.

"Eighteen wardens with full police powers are now in the field. Within the last four months these wardens have secured twenty-two convictions for violations of the Bird and Game laws.

Regular members	(annual fee, 25c.)	.	.	.	350
Junior members	(" " 10c.)	.	.	.	400
Sustaining members	(" " \$5.00)	.	.	.	331
Life members	(\$10.00, paid once)	.	.	.	25
Total					1106 "

OHIO. — *Legislation.* — No change in the law, the A. O. U. model law being still in force. Next session of legislature, January, 1904.

One of the most important duties of the Audubon Society during the coming legislative season will be to see that no amendments are made to the present perfectly satisfactory non-game bird law. Extreme vigilance and the examination of every game or bird bill that is introduced is the only way to prevent adverse legislation.

The following item appeared in the 'Citizen' of October 30: "Game Law Changes. The coming legislature will be asked to repeal the dove clause in the game law." To offset the above the Audubon Society should circulate freely throughout the State, Educational Leaflet No. 2, which conclusively proves that the dove is one of the most valuable birds existing, as it is the greatest of the weed-seed destroyers.

The narrow escapes in Florida and Wyoming should be an object lesson to the Audubon societies in all the States that have legislative sessions in 1904.

Warden work. — No wardens were employed by the Thayer Fund. However, those employed by the State are extremely active and are enforcing the statutes.

Audubon work. — The comprehensive report of the Recording Secretary is herewith submitted: "The Ohio Society has grown rapidly during the past year, having now a membership of about 350, exclusive of junior members and of the chapters which have this year been formed in Cleveland, Columbus and Home City.

Increased attendance at our monthly meetings and the constantly increasing demand for literature made on the Corresponding Secretary indicate the growing influence and force of our work.

"One public meeting was held during the year, an illustrated lecture by Mr. William Hubbell Fisher, the President of the Society, on the 'Folk-lore of the Stork.' The lecture was preceded by a few remarks on Audubon work, thus bringing the matter of bird protection before many to whom it was a new subject.

"The lecture was well attended and greatly enjoyed, and its results were seen immediately in the admission of many new members, the formation of a branch society in a suburban town, and a large influx of back dues from delinquent members. A small admission fee was charged, and the proceeds considerably increased the funds of the Society.

"In addition to Mr. Fisher's lecture, addresses at the monthly meetings have been made. The public are always invited to the meetings, at which the business is disposed of as quickly as possible in order to give time for the address, field notes, and general discussion. The members of the Society give frequent talks in the schools of Cincinnati and suburbs, and assisted the schools in the celebration of Arbor Day by supplying speakers and sending to each school a copy of a circular letter to be read in connection with the exercises. A circular letter was also sent by the corresponding Secretary to the various Teachers' Institutes held throughout the State. The result was especially encouraging at Trimble, Ohio, where the wish to form a branch society is manifested.

"The warning notices furnished by the Thayer Fund have been posted widely through the State, and a large amount of literature has been distributed by the Corresponding Secretary. The schools, especially in Hamilton County, work with us, and the results are encouraging, though we constantly feel that the most which we can do is much less than is needed for the work.

"The Cuvier Club of Cincinnati has worked with us on many occasions, furnishing us with a meeting place, and doing splendid work last year in the enforcement of the bird law. The A. O. U. law has been a great satisfaction to all interested in bird protection, and milliners throughout the State have been successfully prosecuted for its violation.

"In the ensuing year the Society expects to continue the same lines. We shall repeat and extend our aggressive work in the schools. Most of the members of the central society are Cincinnatians, but we hope this year to extend our work more widely through the State and form more branch societies, which can assist us in this. A law committee will be appointed to take charge of all questions that may arise in the enforcement of the bird laws."

OKLAHOMA TERRITORY.—*Legislation.*—An effort was made to pass the A. O. U. model law, but it was not successful, notwithstanding it was advocated by some very earnest people.

The present law is worthless, but it cannot be improved until the next session of the legislature, which will be held in 1905.

Warden system.—No wardens were employed in this Territory, owing to lack of legal backing.

Audubon work.—The Society is local and seemingly inactive; no reports or communications have been received recently from it by the National Committee.

OREGON.—*Legislation.*—During the present year the A. O. U. model law was adopted in this State. Fortunately for the protection Committee and the citizens of Oregon one of our members is a resident. He took the legislative work in charge and without any compensation except that which always is received by a person who performs a civic duty, camped over four weeks at the Capitol. His experiences, which are not strange to other members of the Committee, are so instructive to the public, that they are given in some detail: "The A. O. U. Bird bill passed the lower house to-day (Feb. 4, 1903). This is my fourth week here and I think the last, as the senate will not take so much time to consider the bill. I had the bill all but passed but found that the committee had cut it up so that its author would not know it. In Section 7 they wished to include the crow among the prohibited birds, to which I made no objection and told them to insert the name after the English Sparrow but otherwise to let the section remain unchanged; a few moments before the bill was to come up for final vote I learned the committee had also included "All kinds of hawks, owls," and ending with the words "Passer domesticus" as a kind of amen, to give an air of wisdom to the rest of the

work, though the "English Sparrow" was the first bird mentioned in the excluded list. My only recourse was to have the bill referred again to the committee, and we began all over. To prevent opposition from those bound to consider certain species harmful, I revised the section and put in a clause legalizing the killing of birds when in the act of catching domestic fowls or destroying growing crops, throwing the burden of proof on the defendant; this pleased the committee and passed the bill."

Warden work.—No wardens were employed by the Thayer Fund.

Audubon work.—The State Society still continues its activity, especially along educational lines, as its report shows: "The A. O. U. model bird law has passed the legislature this year and Oregon is now one of the States whose bird laws are entirely satisfactory. It is largely due to the efforts of Mr. Clarence Gilbert and Mr. A. W. Anthony that this improvement has become possible.

"A large number of notices have been placed throughout the country giving a list of birds protected by the model law; these have proved particularly effective. During the occasional storms along the coast towns the Alaska Thrush and Meadowlarks are driven to the tide lands where formerly they were slaughtered in great numbers. This year very few were killed, the Alaska Thrush being seen in numbers about the homes.

"Six Bird Clubs are in active work in the State. In several of these societies prizes have been offered to the school children for the best essays on Oregon birds and their habits. The John Burroughs Club of Portland offers an annual prize to all school children of Oregon of the ninth grade for knowledge of native birds, and has, within the past few weeks begun a regular department in the 'Club Journal'; other literary work is also in progress.

"The State Society was this year handicapped in its work, but hopes next year to carry out the following plan: to reach by personal correspondence the teachers of the rural districts, so widely scattered throughout the State, and to offer special prizes to the pupils for the best essays on personal observations of the birds. The writer of the best essay is to receive a special prize.

"In regard to work in rural districts and small towns, it is sug-

gested that the National Committee send to the country papers from time to time short news items of interest relating to its work, and request publication of same. We believe that especially in small towns throughout the West such a course would be beneficial."

PENNSYLVANIA. — *Legislation.* — There has been no change in the law; the same doubt as to which non-game law is in force still exists. This matter should be settled by a test case. The next session of the legislature will be held in 1905.

Warden system. — No wardens were employed by the Thayer Fund.

Audubon work. — The report of the Secretary is as follows: "There has been the usual increase in membership, and several new local secretaries have started to work in towns that have heretofore had no members. Educational leaflets have been distributed and copies of the bird laws posted wherever it has been possible.

"Miss Justice continues her good work with the traveling libraries, and reports 14 libraries of 10 books each, which have been sent to 11 counties during the year."

The society issued the following excellent circular of instruction to its members: "The constable of each township or borough in Pennsylvania is the person authorized by law to arrest violators of the bird laws, and he must make a report under oath to the Court of Quarter Sessions of his county at each term, of all violations occurring in his township or brought to his notice.

"Members of the Audubon Society wishing to have violators of the law arrested should bring the matter to the attention of the constable of their township and see that he follows it and reports on it as required. If he fails he should be reported to the Judge of the Court. A constable failing in his duty can be prosecuted and fined \$50."

The National Committee commend this plan to the other Audubon societies.

Prof. H. A. Surface, of the Pennsylvania Department of Agriculture, is doing a most excellent educational work. He is issuing for free distribution in the State, monthly bulletins of the Division of Zoölogy. These are filled with just the kind of scientific

knowledge put in popular form that the citizens should have, especially those that live in the rural districts, or are interested in any branch of agriculture. It would be a very wise expenditure of public money for every State to follow the example set by Pennsylvania and Delaware.

RHODE ISLAND. — *Legislation.* — There was no change in the law at the session of the legislature. At the next session an effort should be made to protect all the beneficial hawks and owls. Sessions of the legislature are held annually.

Warden system. — No wardens were employed by the Thayer Fund.

Audubon work. — The Secretary reports: "The work of the year has been confined to the regular work of the Board of Directors and of the various committees. We have seven local secretaries in the State. Our traveling lecture has been used in many places and our library is constantly loaned. In Providence two lectures have been given under the auspices of the society, 'The Bird Life of Islands,' by Mr. Frank M. Chapman, and another by Mr. F. Schuyler Mathews. We have assisted financially in placing bird charts in the country schools of the State.

"A millinery committee has sent circulars to all the local milliners, but it was thought best not to go on with the work when the Board of Directors voted to concur in the action of the National Committee and the Milliners' Protective Association.

"We have distributed Audubon literature throughout the year.

"For the coming year the Board of Directors feel strongly that our work should be chiefly in the line of strengthening our own Society by appointing more local secretaries, by securing new members, and stimulating interest throughout the State. We have been asked by the Bird Commissioners to assist them by securing deputies in various towns. We are at present striving to find persons ready to act in this capacity."

Later the Secretary wrote: "Since I sent the report of our Society we have secured four new local secretaries in towns previously without branches and have aided the Bird Commissioner in finding persons to act as deputies. Just at present there is a good deal of interest in bird protection because of the wholesale slaughter of Robins and other song birds by Italians."

SOUTH CAROLINA.—*Legislation.*—The present law is unsatisfactory in that it is not comprehensive. During the 1904 session of the legislature an effort will be made to have the A. O. U. model law passed. South Carolina is the only Atlantic Coast State that has not adopted the model law. It is therefore very important that this extensive gap in the coast line should be closed, in order to fully protect all the existing breeding colonies of sea birds.

Warden system.—No wardens were employed by the Thayer Fund, nor can any money be used until legal protection is given the sea birds; as soon as this is done wardens will be secured to see that the laws are properly enforced.

Audubon work.—The small society that formerly existed has given no evidence of activity for a year or more; however, the press of the State shows an intelligent interest in bird protection. The following editorial from the 'State' of Columbia, of July 2, is worthy of the careful consideration of the citizens: "With the disappearance of bird life there has been a vast increase in uncanny insects. Almost every fruit, vegetable, shrub and flower has its own enemy, and gardeners are compelled to spend much time and money in fighting them. The shade trees of Columbia are dying rapidly and no one can or will check the disease. Something must be done at once to arrest the further march of destruction. A few thousand dollars a year, with the enforcement of laws against animal pests and human marauders, may result in the saving of millions of dollars to South Carolina. The responsibility rests with the legislature, and it cannot be laughed away."

TENNESSEE.—*Legislation.*—During the session of 1903 the A. O. U. model law was adopted. This admirable improvement was due entirely to the devoted and energetic work of Senator J. M. Graham, who introduced the bill in the Senate, assisted by Representative Birdsong in the House.

The initial movement in this great work was made many months before the legislature convened, by Senator Graham, who wrote to the National Committee for information regarding good bird legislation. From that day until the law went into effect he was untiring in his labors to give legal protection to the birds of Tennessee, thus conserving one of the best assets of the State. The next session of the legislature will be held in 1905.

Warden system.—No wardens were employed by the Thayer Fund. The State officials, however, are alive to their duties. Mr. J. A. Acklen, State Game Warden, writes as follows: "The enforcement of our laws for the protection of both game and non-game birds is a difficult task in this State. I have labored for years on the subject, and only succeeded in our last Legislature in establishing the Department of Game, the whole expense of which Department I am bearing out of my individual means. You may judge from this as to how I feel on the subject."

Audubon work.—There is practically none done in the State at the present time. The following editorial from 'The Nashville American,' of March 19, is such excellent advice to farmers that it is given in full in the hope that many thousands of the tillers of the soil will read and follow its counsel: "A birdless land is a dreary land; where the silence is unbroken by the song of birds there is loneliness that is oppressive. Imagine a farm without the cheering presence and music of birds. Think of the fields and woods barren of feathered songsters. They are well worth protecting and preserving on purely sentimental grounds, but aside from sentiment they are worth protecting because of their great value to the farmer and gardener and to nearly every tree and flower that grows. They are as truly the friends of the farmer as the seasons—the wind and the rain and the sunshine, the light and warmth, the frost and dew, and all the elements of nature's alchemy. He is a primitive farmer who does not appreciate the value of birds."

TEXAS.—*Legislation.*—During the legislative session of 1903 a game and bird law was adopted that is one of the best in force in the United States. Section 2, which covers the non-game birds, is the A. O. U. model. The radical change caused by the passage of this most excellent and much needed legislation has caused a flutter of organized opposition to the enforcement of the law by the pothunters and market shooters, who are combining to test the constitutionality of the law. On the other hand, the true and enlightened sportsmen of the State, together with the bird lovers and others who believe that birds have an economic value, are prepared to defend the law and propose that it shall be upheld by the best legal talent obtainable. That the Commonwealth owns

the wild birds and animals found within its borders there is no doubt, and consequently has full police powers over them, and can say through the legislature when they can be killed and by whom, or can say that they shall not be killed at all, as has just been provided in the case of the non-game birds. (See the opinion of Judge Treiber, under Arkansas, *antea*, p. 111.)

Warden system. — No wardens were employed by the Thayer Fund, owing to the fact that the new law did not go into effect until after the breeding season was finished. In 1904 it is proposed to carefully guard any and all of the colonies of coast birds that are large enough to warrant the expenditure.

Audubon work. — There is one local society in the State; however, there is a great and growing interest in bird protection which must eventually result in the formation of a strong society. The limits of the State are so large that it seems desirable that at least four societies should be organized. The women's and farmers' clubs are doing effective work in the study and protection of birds. In this connection mention must again be made of the great services rendered to the State of Texas by Prof. H. P. Attwater, a member of the A. O. U., whose efforts were untiring to pass the new game law, and to bring to the knowledge of the agricultural folk of the State the true relation of birds to crops. Three thousand warning notices were furnished by the Thayer Fund and sent to Prof. Attwater, who has had them distributed throughout the State. The officials of the Southern Pacific and the San Antonio and Aransas Pass Railway Co., voluntarily offered to distribute and display in all of their stations in Texas copies of the warning notice. By this means a very wide distribution was given to the provisions of the new game law. This important and public spirited action should be followed by the officers of other railroad corporations, not only in Texas but throughout the United States.

Under the Federal Law, known as the Lacey Act, transportation companies are liable for carrying illegally killed game and birds, and therefore they should, as has been done by the above mentioned companies, make the game laws as widely known as possible, especially those laws that seek to prevent market shooting and pot-hunting for cold storage houses.

It is stated that the Mexican Boll Weevil destroyed 940,000

bales of Texas cotton in 1902, and a much larger amount in 1903.
Is not this a reason for caring for Texas birds?

UTAH. — *Legislation.* — Although the non-game bird law was passed as late as 1899, it is not at all satisfactory, only a portion of the birds being given protection.

The agriculturists of the State, having the most direct monetary interest in this subject, should take the matter up at the next session of the legislature, which convenes in 1905.

Warden work. — No wardens were employed.

Audubon work. — There is no Audubon Society at present in the State. The press from time to time calls the attention of the citizens to the necessity for bird protection. The following excerpt from an editorial in the 'Utah Herald,' Salt Lake, is excellent:

"Protect the Birds. It is to be hoped that people who make a practice of killing the birds will not need more than a warning to induce them to desist. Should they continue, however, prosecutions should be instituted and convictions secured wherever possible. These birds are not fit for food. They serve a useful purpose in the destruction of insects that destroy fruit, grain and other necessary agricultural products, and they are entitled to the full protection of the law."

Mr. John A. Widtsoe, Director of the Agricultural Experiment Station at Logan, voices the true idea in the following words: "In the arid States, where animal and plant life is less abundant than in the humid States, it is very desirable to use every endeavor to protect the animals as well as the plants that we possess."

VERMONT. — *Legislation.* — The effort to pass the A. O. U. model law during the 1902 session of the legislature was not successful; the present law in many respects is a good one.

Warden system. — No special wardens were employed.

Audubon work. — The Corresponding Secretary gives the following report of the year's work: "The year 1903 has brought much encouragement to those interested in Audubon work in the State. Membership has not increased as rapidly as we could wish, but a sustained effort has been made to broaden the interest, and encourage among all our people a living interest in the living bird, for the enrichment of life from the æsthetic side.

"The subject of bird protection by the farmer, not legal protection, but individual protection, such as can result only from an intelligent comprehension of the economic value of birds to our agricultural interests, was ably presented by our member, Amos J. Eaton, at the Dairymen's meetings held last winter under the auspices of the State Board of Agriculture. No topic awakened a deeper interest. Mr. Eaton had only the Massachusetts charts for illustration. A lantern and slides would have been of great value, and we earnestly hope financial aid may come to us in this matter. Our wish is that this feature of the work may be extended through the Granges of the State.

"We have had the hearty co-operation of our State Superintendent of Education, Hon. Walter E. Ranger, who has also furnished us with much valuable printed matter for distribution, which was issued by the Board under his direction. The interest of bird study is deepening in our schools. We number among our members teachers in our normal schools, which will insure definite aid to those soon to be enrolled among our teachers.

"During the month of August the interests of the Audubon Society were presented at several of our summer schools, and met with much intelligent appreciation. Nature work in its largest sense, which means one's relations to the world about him, is the growing idea underlying the world of our educators.

"We have now three libraries in circulation among our schools. We place a copy of 'Bird Lore' upon the table in the reading room of our town library."

VIRGINIA.—*Legislation.*—During the last session of the legislature an excellent game law was adopted, including the main features of the A. O. U. model; besides this, spring shooting of snipe and shore birds was stopped, the open season for wild fowl and upland game birds was materially shortened, and the sale and export of game from the State was prohibited. For this admirable legislation special mention is made of the intelligent work of Senators Keezell, Halsey and McIlwaine, and Delegates Caton, Christian and Mathews, who were untiring in their efforts to make the game laws of Virginia stand in the front rank of modern and enlightened protective statutes. The next session of the legislature will be held in 1904.



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<https://doi.org/10.2307/4069948>.

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DOI: <https://doi.org/10.2307/4069948>

Permalink: <https://www.biodiversitylibrary.org/partpdf/87829>

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