

violations of the law there will be no money to pay for the hatching of additional fish. Many of the fishermen acknowledge the justice and ultimate benefit of an observance of the law, and obey it, but very properly complain that their work ceases, while those who violate it reap a greater benefit.

18. The following extracts from a letter received by the Commissioners from a fisherman who has followed the business of catching salmon on the Sacramento and San Joaquin for the San Francisco market during twenty years, will illustrate that, at least, the more intelligent and thoughtful of these men acknowledge the necessity of an observance of the law. His letter also gives facts of importance as to the habits of the Sacramento salmon. Writing from Rio Vista, August 17th, 1877, he says: "I understand the 'cannery' has shut down, but the greed for salmon is so great, I would not trust them without watching. As to the fishermen, they will be salting them all along the banks of the Sacramento and Lower San Joaquin (as far up as the mouth of the Mokelumne) unless special means are taken to prevent it. The Three-mile Slough, leading from one river to the other, around the head of Sherman Island, is also fine fishing ground, and more retired from public observation than any other. Many of the fishermen started off with their tanks, etc., the very day the 'cannery' was reported to have stopped. Many of them are energetic, restless men, and the idea of doing something sly or contrary to law gives zest to their labor. Right here where I write a few boards have been thrown up shed-fashion by a party I need not now name. You may well believe salted salmon will be under it if some stranger does not prevent it. You may rest assured that the people who reside here will not be known as the initial instruments in punishing anyone for the violation of the salmon laws, although there are many who feel it ought to be respected. No doubt, public feeling and practice will occupy about the same status at Collinsville and wherever salmon fishing is a business. As I wrote to you the other day, now (August) is the time to protect the salmon. In review of long experience and observation I opine that of all the salmon passing in the months of August, September and October, more than ninety per cent. pass between August tenth and October first. The seed run is always on time, not being like the spring run, accelerated or retarded by the different moods of the river, caused by the winter and spring rains. If during the last named period (August 10th to October 1st) the law were rigidly enforced, you would find seed enough for home use and a good part of all creation besides. Indeed, I think that one month out of the thickest of them, say 20th August to 20th September, would be quite sufficient, and therein I differ with you in opinion, no doubt. But you have not, perhaps, observed in person, as I have, the multitudes and urgency of the run at that time; and this is almost uniform—it has not varied in time ten days in twenty years. Now, during the period of four or six weeks, the State, in view of the magnitude of the producing interest involved, ought surely to provide beyond peradventure for the enforcement of the law. The statute names the taking or possession of salmon a crime, but in the public mind this crime is only an illegal act. You cannot force sentiment by act of the Legislature. The absence of sentiment excuses the citizens' apathy, and between ignorance and cupidity the salmon will suffer unless special agents of the State do for the public what the public have not yet quite learned they ought to do for themselves. Strangers are the best agents for this business. Citizens living in a fishing neighbourhood do not feel like subjecting themselves to the enmity and revenge of a rough class by complaint. And, again, in this salting business, the criminal acts are beyond observation, except by express intention, as the fish are caught chiefly in the night, and the salteries are usually situated away from public highways and thoroughfares."

19. We have expended a part of the appropriation in prosecuting offenders against the law, but the field is so large and the profit so great, that but little good has been accomplished. The more fish hatched and placed in the river, the more numerous the fishermen, and the greater, apparently, the desire to make a profit from a violation of the law. As has been stated, unless the fish are allowed, in their season, to reach their spawning grounds, the rivers will be exhausted. Until the fishermen realise that the object of the law in creating a close season is the perpetuation and increase of the numbers of fish, the law will continue to be violated. We see no remedy at present except, hereafter, to devote a larger portion of the appropriation in preventing illegal fishing, and in prosecuting offenders against the law. This will require the use of a part of the appropriation which should be devoted to increasing the number of fish placed in the river. If it is expected that the Commission shall employ special means to enforce an observance of the law, and also employ attorneys to prosecute offenders, it is necessary that the appropriation should be increased. It is not now sufficient for these purposes, and also for the hatching of any large quantity of salmon with which to keep pace with the increased fishing and the increasing numbers of sea lions. We have consulted with many of the fishermen, and they admit that the law creating a close season should be obeyed, provided all be made to obey it. It is but proper to say, however, that they, at the same time, urge that the close season for salmon (August 1st to November 1st) is too long a period. In correspondence with one of these men, who has made a business of fishing for salmon on the Sacramento and San Joaquin for many years past, as to the necessity for an observance of the law, he says: "I do not wish to be known as urging the enforcement of the law, or as a special informer against any party who has violated it. My reasons for this reservation affect alike my own peace and safety and that of many persons whom, I know, have no worse intention than to earn a living and obey the law, provided that others, less honest, are prevented from violating it with impunity. Your idea of a patrol boat, or boats, with officers, is the correct one, and I firmly believe that if, by this or other means, the prohibition were strictly maintained from Benicia upward, wherever there are practical fishing grounds, during the period of one month at the right time, that the perpetuation of salmon in our rivers would be abundantly secured. Between the 10th of August and 1st of October more than ninety per cent. of the seed run passes, and has not failed to pass, during twenty years of my observation. If the whole of the seed run is not wanted for seed, they ought not to be so used, for the fish is just as good food then as at any other time, only the wastage is something more, the spawn being larger. On the Columbia river I understand that the fall run is almost or quite worthless. Not so on the Sacramento. Well, we may be proud of our river; it is the paradise of the salmon, and they seem determined to resist the devils—who also seem determined to drive them out—better than could be expected; but they will need help in the future. The nets for taking them are being multiplied and improved. The fishing grounds are better known than