

## SUPPLEMENT.

### REPORT OF THE A. O. U. COMMITTEE ON THE PROTECTION OF NORTH AMERICAN BIRDS.

BY WILLIAM DUTCHER, CHAIRMAN.

#### *Plates III-VI.*

I have considered the birds ;  
And I find their life good,  
And better the better understood.—GEORGE McDONALD.

THE Scottish poet struck the keynote of bird protection when he said, the more we study the life of birds the better we understand them, and he intimates that it is impossible to find anything that is not good in bird life.

Nearly a score of years since one of the Fellows of our Society, the late George B. Sennett, first called the attention of ornithologists to the rapid disappearance of our non-game birds, especially the water birds, owing to their use as millinery ornaments, this fashion having then assumed alarming proportions.

As the result of his alarm note, the original A. O. U. Bird Protection Committee was organized in 1886 and much good work was accomplished; later a National Audubon Society was organized and managed by 'Forest and Stream,' until it outgrew its promoters, or the fashion of wearing the plumage of wild birds seemed to decline, when the Audubon Society and the A. O. U. Protection Committee ceased to exist, except in name. It was hoped that the reform was a permanent one, but a few years later the fashion revived to a greater extent than ever before. Coincident with this revival a few local or State Audubon societies were organized, and have since been doing splendid aggressive work. They are confined, however, exclusively to localities where the most active ornithological work has been done, notably, Massachusetts, Connecticut, New York, Pennsylvania and Illinois. Necessarily the work of these societies is local, and it was not until another ornithologist, Mr. Abbott H. Thayer, appealed to the bird-loving pub-

lic for financial support with which to establish a warden system for the protection of the breeding sea birds, that anything of a national character was attempted.

How very successful has been the result of Mr. Thayer's appeal to preserve the bird life of the seashore for posterity is shown by the annual reports of this Committee. While the ornithologists of the country are investigating the habits, food and distribution of birds, they note and call attention to their disappearance, both by natural and artificial causes, and sound the alarm which is responded to by the Audubon Societies that are at the present time doing such energetic, systematic and effective work in bird protection. In this connection it is interesting to note how closely Audubon societies and work for the protection of birds follow in the steps of scientific ornithological work.

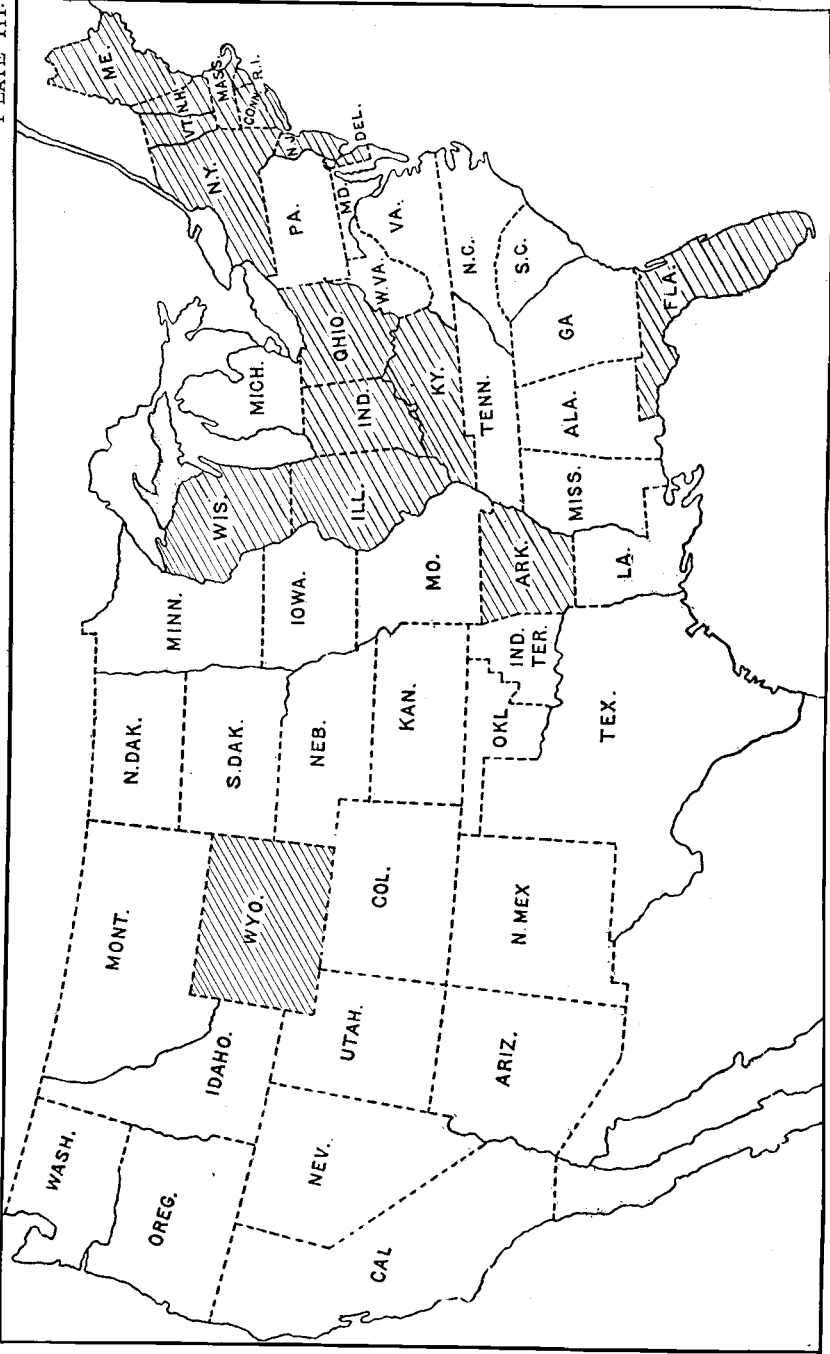
The accompanying map (Pl. III) shows that in the States where the American Ornithologists' Union has the largest membership, Audubon societies have been established, and that where there are no working ornithologists, no Audubon societies exist, and none are likely to be founded. This is notably the case in the Gulf States and in some parts of the West. This may in some degree be accounted for by the smallness of the population in these localities; happily, however, where the smallest number of people live is the least need for protection work, the greatest need being in the most densely populated centers, especially near the great cities and towns having a large foreign element among their citizens who will kill anything that flies, be it large or small.

The two great bodies of bird-lovers should go hand in hand, one for the purpose of obtaining an intelligent insight into bird life, and the other for the protection of the life of the bird.

During the past few years Audubon Societies have been organized quite rapidly, so that now thirty-two are in existence, some of them doing excellent and valuable work, while others are merely organizations in name, being small, and their influence almost restricted to the town in which they are located; however, these latter will serve as the nucleus from which to expand in the future. Many of the most active Audubon workers have for a long time agitated the subject of a national body composed of representatives from each State society who could give attention to all subjects of a national character.

PLATE III.

THE AUK, VOL. XX.



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

During the past year, after two meetings of delegates, one held in Cambridge, Mass., in November, 1901, and a second in New York in April, 1902, the idea culminated in the formation of a federation known as the National Committee of Audubon Societies.

The primary work of this Committee is to look after legislation, the formation of new Audubon societies, and the distribution of uniform literature, in conjunction with the work of the A. O. U. Protection Committee. As the work done by these two bodies is so closely related, and as the same person acts as the chairman of each, but one report is deemed advisable. Before, however, detailing the actual results accomplished during the past twelve months the Chairman takes this opportunity of suggesting certain lines of activity for the coming year, as well for members of the American Ornithologists' Union as for the members of the various Audubon Societies.

Every ornithologist should be the center of bird knowledge in his locality, not working for his own pleasure only, but seeking to gather about him all of the bird lovers in his section to instruct them in the life history, and especially the economic value, of birds. He should especially seek to interest the young people and children, for he may thus be educating and developing a learner who will some day develop into an Audubon or a Baird. These local groups will enlarge, their influence spread, and soon may result in an Audubon Society, if one does not already exist, or in strengthening the one now at work. The ornithologist should also make himself thoroughly acquainted with the game and bird laws of his State, and if they are satisfactory and comprehensive, should never in the slightest degree violate them, either in spirit or in deed, and he will thus be in a position to exact from every other citizen a like strict conformity with the bird statutes. If the bird laws are not satisfactory he should at once agitate the subject of adopting the American Ornithologists' Union model law for his State, and should by every means in his power seek to create public opinion in favor of a new bird law.

Besides his knowledge of the distribution and migration of the birds of his vicinity he should acquire a comprehensive knowledge of the food habits of the birds, in order that he may intelligently direct the attention of the agriculturists of his locality to the good

that the birds are doing and how great an asset to the State they are from an economic standpoint. To get this professional knowledge it is not necessary for him to collect bird stomachs for investigation, for the necessary investigations have already been admirably made by the Division of Biological Survey of the United States Department of Agriculture. The many excellent reports issued as the result of the work of the corps of experts of this division, should be studied carefully by every person who considers himself an ornithologist.

Again, an ornithologist should seek to attract attention to the economic and ethical side of bird life and to mould public opinion through short, pithy articles in the press. Strictly scientific statements clothed in a popular and attractive dress will always be read and do good, and will often be republished by many widely separated papers. If prejudice exists among the people regarding certain birds, such as owls, hawks, etc., and if any birds which are really non-game birds are considered as game birds, a well devised and instructive series of articles regarding these species should be contributed to the press. Prejudice is always the result of lack of knowledge and the ornithologist should seek to inform the public by every means in his power of the good offices of birds and thus change prejudice to ardent friendship.

The work of the Audubon Societies follows somewhat the same channels, but instead of being the effort of a single individual, is that of a number of well equipped individuals who work as a unit, and direct the efforts of a large number of helpers known as local secretaries. Every well equipped Audubon Society should have an Executive Committee with an active, energetic chairman who, if possible, should be an ornithologist, or if this be not feasible there should be one on the committee. One of the members should be a lawyer to whom should be referred all legislative and legal matters that need attention. The treasurer, if such can be obtained, should be a person who can successfully, by personal influence, finance the affairs of the society, and the secretary should be a person who is capable and willing to devote much time and labor freely to the work. On the committee should be some person who is ready with the pen, and capable of establishing active relations with the public press. Moreover, the executive

committee should never be a large one, but one harmonious in feeling, easy to get at and responsive to an urgent call. The president of the society need not necessarily be an ornithologist, but should be a man or woman well known in the State and of widespread influence. The larger the list of vice-presidents the better; these should be well known and influential persons from all portions of the Commonwealth, and should include teachers, preachers, legislators, agriculturists, etc., but only those who are heartily and earnestly in sympathy with the work of bird protection. With this equipment for the work let us consider briefly what the work of an active, energetic Audubon Society is.

*First.*—As rapidly as possible the State should be organized into small districts and in each one should be established a local board, with a secretary to carry out the plans suggested by the parent society, and also to secure members for the society and to create local sentiment in favor of bird protection, and the enforcement of the laws.

*Second.*—A number of illustrated lectures should be kept actively in circulation among the local branches. These lectures should not be too scientific in character, but the narrative of bird life, explaining the lantern slides, should deal briefly with the food habits, and especially with the song and home life of the bird. Everything in the lecture should induce a desire in the hearer to continue the study of the bird as a fellow citizen, entitled to love and protection. The lectures may be efficiently supplemented by bird charts, if scientifically correct in drawing, and by well selected libraries of bird books, to be loaned for stated periods to the local clubs or branches.

*Third.*—In the United States at the present time there are enrolled in the public and private schools nearly 18,000,000 children. It is with this vast body of plastic minds that the Audubon Societies must deal and must bend every energy to see that they are early taught to know and love the birds. The hope and promise of bird protection in this country lies in the education of this vast army of young people. If they can be brought into sympathy with the Audubon movement, as it now exists, there will not be so much need of legislation, nor will so many wardens be needed in the future. The Societies in each State should get in

touch and establish working relations with the Superintendent of Public Instruction, to the end that educational bird leaflets may be distributed among the teachers, who will have them read to or distributed among the pupils. The seed thus sown among the children will bear fruit of love for nature that will affect the parent and the home.

*Fourth.* — Another activity of the Audubon Societies should be to exact strict conformity to the bird laws of the State, not by prosecutions in their own name, but by securing legal evidence of violations of bird laws that come under their notice and furnishing it to the legally constituted authorities, usually the game commissioners, for use in prosecutions. All such violations as killing protected birds by pseudo sportsmen, wantonly for sport or practice, by boys who rob and destroy nests, or kill birds with catapult or airgun, by the foreign element who imagine that liberty means license, by all who engage in the barbarous practice of what is known as side shoots, and by the pot hunter who kills protected birds and sends them to market where the dealers may keep them in cold storage for future use; by the plume hunters who shoot the breeding birds that the devotees of fashion may be pampered at the price of suffering and cruelty.

In every section of the country may be found large and flourishing organizations of women, banded together for mutual improvement. These women's clubs can be made powerful auxiliaries and helpers of the Audubon movement if the matter is brought to their notice in a reasonable and intelligent manner. On numerous important occasions during the past year a consideration of the Audubon movement has formed one of the subjects of debate by conventions of women's clubs. If the club women of America frown upon the use of birds' plumage for millinery ornaments very much ground will have been gained for the cause.

That it is necessary to watch the markets and millinery establishments at the present time is only too well known. Very recently nearly 80,000 Snow Buntings were found by a State game warden in a cold storage house in one of the larger eastern cities, and were identified by a trained ornithologist. The writer of this report has recently seen offered for sale by one of the leading department stores in New York such valuable birds as Flickers

made up for millinery ornaments. The millinery advertisements in the papers openly offer birds' plumage, seemingly without fear of the laws. The following taken from a New York paper, of Oct. 21, 1902, shows that the work of the Audubon Societies is not yet finished. "At \$20.00 Hat of tan felt, shepherdess shape; bound with tan velvet, trimmed only with a beautiful bird, the colors of whose plumage — white, rich red brown, gray and black, blend artistically with the hat."

Letters have been brought to the attention of your Committee that have been sent out by feather dealers offering to buy in large quantities such birds as herons, terns, gulls, etc. Further, the Committee has on file a strictly reliable account of the killing of 40,000 game birds, mostly sandpipers, on the North Carolina coast, for millinery purposes, the bodies of the birds having been thrown away after the plumage was secured. In this connection it may be well to suggest to sportsmen that if they wish the game birds of the country preserved they must insist that all game laws should contain a section as follows: "It shall be unlawful for any person to catch or kill, buy or sell, have in possession or ship, at any time, any wild bird known as a game bird, to be used as an article of dress or for millinery purposes."

*Fifth.* — The Audubon Societies should get in touch with the farmers' clubs, the granger, agricultural and horticultural societies of their own States in order that their members may be taught how much good the birds do the agricultural and forestry industries. The agricultural interest of the country is by far the largest and most important one, and those directly interested in it far outnumber those interested in other industries. The farmers should be taught to feel regarding the much misunderstood and persecuted owl family as the late Lord Kimberley did, who once said, "Almost the greatest crime which any one can commit on my estate is to kill an owl."

During the past year legislative work has progressed satisfactorily, two States having adopted the model law, viz., Kentucky and Ohio; Congress adopted it for the Territory of Alaska, and it was adopted in the Northwest Territories, under the title of the 'Useful Bird Ordinance,' approved April 19, 1902. This ordinance applies to a larger extent of country than is covered by any law in the



United States, and coupled with the provision of the Alaska law, gives practically uniform protection to non-game birds throughout the region north of the United States and west of Hudson Bay, with the single exception of British Columbia.

During the coming legislative season it is proposed to make an active effort to obtain the passage of the A. O. U. model law in the following States: California, Georgia, Kansas, Michigan, Minnesota, Missouri, Montana, North Carolina, Oklahoma, Oregon, Pennsylvania, Tennessee, Texas, Virginia, Washington, and West Virginia.

The accompanying map (Pl. IV) shows how large a part of the United States still requires legislative work. The Committee urges upon the members of the Union and of the Audubon Societies resident in the several States mentioned above to make the passage of the A. O. U. model law<sup>1</sup> their personal interest. A citizen of a State has a far greater influence in such matters than an outsider, no matter how well intentioned and sincere his efforts may be. Create a sentiment by speaking or writing to your senator and representative and urge the merits of the bill and the vital necessity for its passage. Get as many as possible of your friends and neighbors to do the same, get the press and clergy to take up the subject, and likewise the farmers' clubs. In this manner the voice of the people will be heard from all parts of the State and the intelligent legislator will carry out the wishes of his constituents.

The subject of bird protection long since passed the emotional stage, and while there may still be connected with the growing movement some pure sentiment, it cannot be considered any longer sentimental, but is founded on cold facts.

Careful investigation has proved that birds are of great economic value, and to the end that this important asset of the State and Nation may be preserved, the Audubon movement exists in this country.

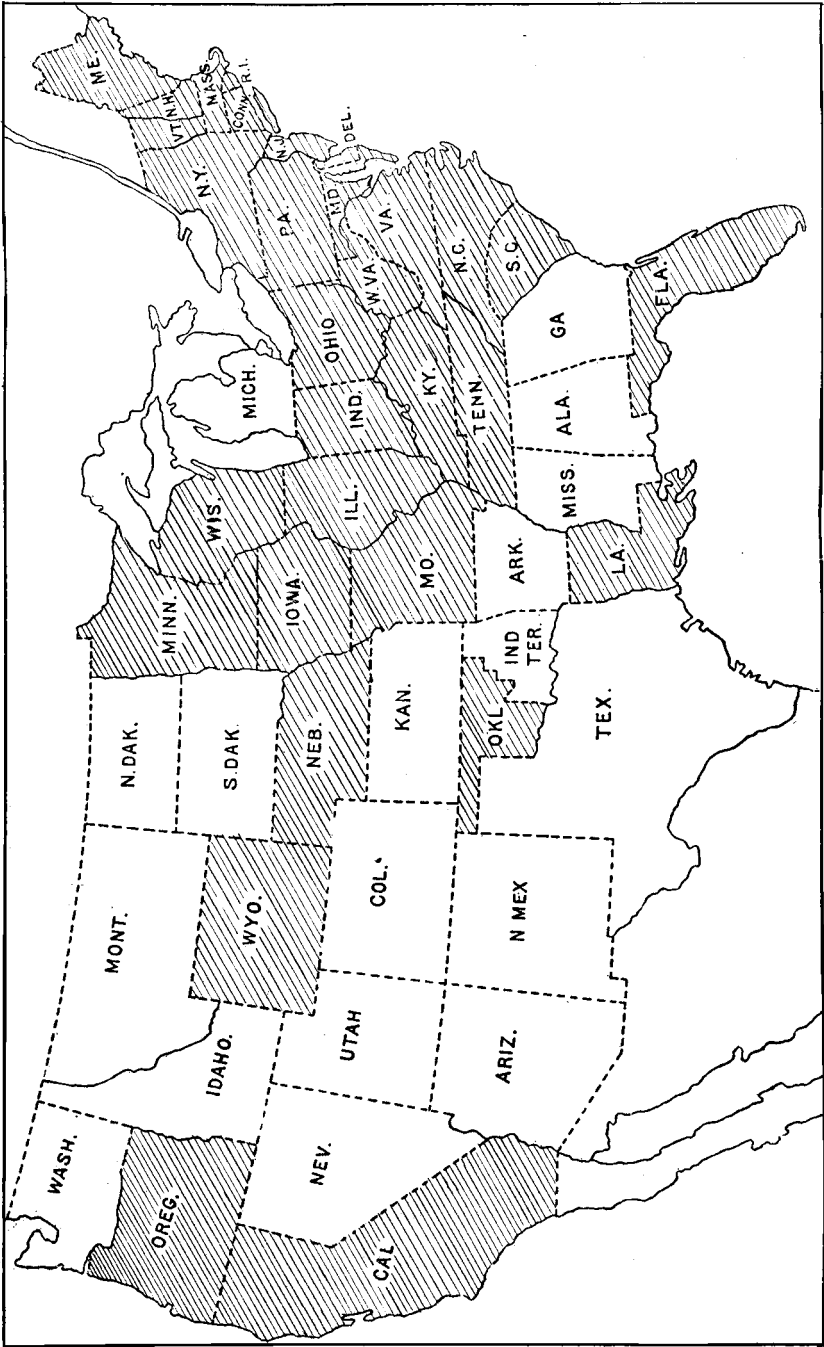
While the Audubon Societies and the American Ornithologists' Union are struggling to preserve the bird life of our own country, is there not a broader view to take of bird protection? Should

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<sup>1</sup> The model law is given in full in the report for 1902 (Auk, XIX, p. 59).

PLATE IV.

THE AUK, VOL. XX.



MAP SHOWING STATES (Shaded) HAVING AUDUBON SOCIETIES. (See Directory, page 158.)

we not take some steps to prevent the loss of bird life in other countries; in other words, should this movement not be an international one?

It is eminently fitting that the bird protectors of the United States should join hands with the bird protectors of the other world powers to stop the use of the plumage of wild birds, regardless of the habits of the bird.

Recently there appeared in the press a notice published by the Millinery Merchants' Protective Association, as follow :

"Inasmuch as the Audubon Societies of New York and other cities have sent out circular letters warning the trade against buying and selling birds and bird plumage, which has caused the impression to prevail among some buyers that all birds and bird plumage are prohibited, we find that it is necessary, in order to inform the trade of what they can and cannot use, to make the following statement :

"Milliners are warned to eliminate from their stock the birds of America protected by State laws, which include what have been popularly used for the last two or three seasons for millinery trimming, namely, gulls, sea pigeons, herons, terns, and grebes.

"The laws, both National and State, do not affect the following imported birds: paradise, parrots, parroquets, merles, impeyans, nicobars, albenas, Japan and Chinese pheasants, golden pheasants, marabouts, gouras, and argus."

These birds certainly all have their mission to perform in the countries in which they are found, as the North American birds have on this continent. While it may not be possible for this government to legislate to prevent foreign bird skins from being admitted, yet it is believed to be a duty of the A. O. U. and the Audubon Societies to call the attention of the bird-loving citizens of foreign countries to the great numbers of exotic birds that are killed to furnish millinery ornaments for the American trade. It is reported that the Government of India, in September of this year, issued an official order prohibiting the export of wild bird skins and feathers. This will take from the market a great many parroquets, impeyans and nicobars. As the United States has recently come in possession of a vast insular province in the East, we should also urge the Executive of the United States to instruct the Civil Government of the Philippines not to permit any

wild birds to be killed or shipped from those islands for millinery purposes.

The question of bird protection is important enough for the American societies to agitate and recommend an International Congress for the purpose of devising means of preserving the wild birds of the world. We should at this Congress of bird students and bird protectors send words of greeting and warning to like bodies in other portions of the world, and to that end your Committee suggest that a committee of five members be appointed by the President of the A. O. U. to prepare and forward memorials to all bird protective societies in England, Germany, Holland, Japan and Australia, or to any other foreign country from which wild bird skins are exported. The committee should be composed of three Fellows of the Union and two Fellows who are members of the National Committee of Audubon Societies.

One of the vital necessities in movements of this character is money; without it the work is seriously handicapped and retarded. During the past three years an expenditure of less than eighteen hundred dollars per annum has served, by the strictest economy, to meet the necessary demands of warden service, printing leaflets for educational work, postage, and actual necessary traveling expenses. No salary or compensation of any kind has been paid. The work, however, is expanding so rapidly and the demand for bird literature is so great from all parts of the country that a much larger sum of money must be received this year than heretofore or the Committee cannot answer all of the calls upon it. The detail necessitates the employment of clerical aid in order to give prompt attention to the large correspondence and other office work. Additional wardens will be necessary this year, more of the 18,000,000 school children should be reached, more farmers should be educated in the economics of birds than ever before. These are the plans it is hoped to be able to carry out if the friends and lovers of the birds will give the financial support. The sordid aspect of continually holding up to view the money question is disagreeable but is unfortunately necessary. Too few people realize their public social responsibilities. If they have been good to the family they think their whole duty performed, but there is a broader field — the civic duty of doing good to their

neighbors and the State. The protection of birds, from the economic standpoint, is as much a civic duty as voting honestly and intelligently. The A. O. U. and the Audubon Societies are the forces to do the work, but from the citizen who realizes his civic obligations must come the means.

The work accomplished during the past twelve months is given in detail under three heads, viz., (1) Legislation, (2) Warden System, and (3) Audubon Work.

The results are given by States, in order that the citizens of each may see all that has been done for the birds of their Commonwealth.

#### ARKANSAS.

*Legislation.*—The bird law is very satisfactory; the only improvement that can be suggested is to remove all of the beneficial hawks and owls from the excepted species, leaving only such as have been proved to be harmful by the investigations of the U. S. Department of Agriculture.

*Warden System.*—No wardens are employed under the Thayer Fund.

*Audubon Work.*—There is no Society at present in the State, although the subject of organizing one has been under consideration for some time and possibly may be accomplished in 1903. An active and efficient member of the A. O. U. Protection Committee, Mrs. Louise McGown Stephenson, resides in Arkansas and she reports the following results: "Although my efforts toward organizing an Audubon Society in the State have been fruitless so far, there is no doubt that the subject of bird protection has been brought to the minds of a great number of people during the past year, and in such a manner that I can really see its effects. A case that attracted a great deal of attention, because of its unusual character, was that against a young man charged with caging a mockingbird, in violation of the statute. A fine of \$3.00 and costs was imposed and paid and the bird was released. In May, I read a paper, 'The Economic Value of Birds', before the Arkansas State Federation of Women's Clubs, and exhibited the Audubon Bird Charts, and distributed many copies of the A. O. U. Protec-

tion Committee's report, as well as numbers of the Government bulletins. I have given a set of bird charts to the white and colored schools, and the kindergarten. Several school boards throughout the State have promised to place the bird charts in their schools. In April, I wrote to all the Circuit Judges, asking them to charge the grand juries in their circuits regarding the bird law.

"I promise diligence in the coming year and hope to achieve more tangible results from daily work."

#### CALIFORNIA.

*Legislation.*—This State has practically no laws whatever for the protection of non-game birds, except the crane and meadow-lark. Gulls are protected if within five miles of the town of Santa Monica. An effort will be made at the next session of the legislature, 1903, to have the A. O. U. model law adopted; this will afford an opportunity for the large and flourishing society of ornithologists, the Cooper Club, to display the same intelligent activity in bird protection that they give to bird study. The very large and valuable agricultural interests of the State certainly demand that the valuable birds of the State shall be protected by the most comprehensive laws.

*Warden System.*—No wardens were employed. However, through the Thayer Fund, the services of Mr. J. M. Willard of the Cooper Club were secured to investigate the condition of bird life in the vicinity of Eagle and Tule Lakes; his report, given in full, indicates how very necessary it is that a good bird law should be enacted at once. He says:

"Three men joined forces to gather grebe plumes for the market. After a couple of season's work, one of them dropped out, leaving the others, who were half-brothers, still at work. These men were Tom Kurr and Oscar Rankin. They owned a boat, and a team with which to haul it from one lake to another. As far as I could find, they only shot on Eagle Lake and Tule Lake; although it is probable that they shot on other neighboring waters. The ranchers of the country around these lakes seem to

consider the slaughter of the birds as a legitimate trade, and encourage it rather than otherwise.

“On June 29, 1899, I visited Eagle Lake and found the hunters encamped on the south end: they had a boat, and mornings and evenings they skirted the edge of the lake and shot every grebe they could see. I asked if they did not often shoot the parents from the young; and the answer was: ‘Oh, yes, but the young soon die. We do not shoot the mother if we see the squab.’ But they had killed four or five young that morning. Their season opened about the first of May, and at the time of my visit they claimed to have secured about six hundred skins; fifteen to eighteen grebes was considered a good day’s work. In preparing the skin they strip it off, cutting down the back. An abundance of plaster of Paris is sprinkled on, and after a little drying the skin is ready for shipment. Their only market was in San Francisco; but I could not get the name of the firm. The last of July the hunters moved their seat of operations; but on the 23rd of September I met them returning. I know nothing of their further operations that year.

“Not knowing the condition of the birds on Tule Lake before the shooting began, I cannot form a very good estimate as to the injury sustained.

“At the time of my visit to Tule Lake this year the water was very low, and most of the tules of the shallower portions of the lake were beaten down. I walked out into the very center of the lake, the water coming scarcely above my ankles most of the time. Going into the marsh only an American Bittern was seen, but as I came out I started a flock of fifteen grebes, which flapped away with discordant cries. Later I found numbers of waders, chief among which were Black-necked Stilts.

“The lower end of the lake was much deeper, and there was a little open water between the bunches of tules; on this water were ducks, coots and grebes in abundance. Considering the lake from what I saw at this end, I should say that the grebes are still abundant, but taking the lake as a whole I do not think there are many grebes on it. I do not think, however, that the upper, shallower end of the lake is a good place for grebes, at this season of the year at least; further, there might have been numbers of

birds all about me hidden in the tules, startled by the noise of my passage, for I made considerable, floundering waist-deep over and through the mat of fallen tules.

"I can speak with greater authority on the condition of the birds of Eagle Lake, for I am familiar with it from a six months' stay in the region.

"I do not think that the number of grebes has been affected seriously, if at all, by the hunters. There were not many birds near the shore, but out from shore half or three-quarters of a mile were numbers of the birds. Several pairs of ducks were seen in shore, and gulls, terns, cormorants, pelicans, and even plover, were abundant. One goose had her brood still with her.

"The birds out in the lake were, of course, too far away for me to distinguish species; but frequently birds would swim in shore, in pairs or singly, and these were usually grebes. When I was on the lake in 1899, I rowed out among these birds, and was able to determine that most of them were grebes.

"So much for the work of the 'professional' plume hunters. I do not think that their work has had much permanent effect on the birds. The persons who do the most lasting harm are the ranchers in the neighboring mountains and valleys. In July, 1899, I witnessed a sickening slaughter. Three men visited a heronry of Great Blue Herons, in which the young birds were about two-thirds grown. With rifles they shot every heron, young and old, that they could see, killing forty or fifty in all. Earlier in the season they had visited a breeding ground of gulls, pelicans, and cormorants, and had broken every egg they could find. The reasons given for this slaughter is that the birds are killing off the fish from the lake, and that they are of no use in the world."

Mr. Willard adds, in a subsequent letter, that he is heartily in sympathy with the movement for the passage of good bird laws in the Pacific Coast States, where they are badly needed.

*Audubon Work.*—The Audubon Society is merely a local one at Redlands and is not doing any active State work.

The Cooper Club should take the matter of a good bird law in hand at once, and should also foster and encourage the Audubon movement in California.



CONNECTICUT.

*Legislation.* — The bird law is very satisfactory, as it embraces in its sections all of the A. O. U. model law.

*Warden System.* — No wardens were employed by the Thayer Fund.

*Audubon Work.* — The Connecticut Society is doing most excellent work and is one of the most aggressive and well-equipped in the country. It reports a membership of 7,165.

It has distributed many leaflets, besides 2,000 copies of the bird law; these have been posted in all express offices, and in 126 summer hotels, and it is contemplated putting them in saloons.

It has three illustrated traveling lectures and eighteen circulating libraries. The latter have been in 35 different schools, three months each.

Bird charts have been sent to 53 schools and libraries. The illustrated lectures have been sent out 54 times.

The Society puts its energies in lectures, charts, and libraries.

DELAWARE.

*Legislation.* — The A. O. U. model law is in force.

*Warden System.* — No wardens were employed by the Thayer Fund.

*Audubon Work.* — The secretary of the Delaware Audubon Society reports a membership of 535. "We have distributed no leaflets, but copies of our bird law have been posted in all the stations along the line of the Delaware Railroad and in every post-office in towns where we have a member; also many have been placed in the public schools. The President owns an illustrated lecture and has been most generous in its use. Our Society is very scattered, but we have created a public sentiment in favor of bird protection."

DISTRICT OF COLUMBIA.

*Legislation.* — The law is satisfactory and is rigidly enforced.

*Audubon Work.* — This Society reports 292 members. Number of leaflets and circulars distributed, 245, besides copies of laws

sent to all who have applied for them, and to many who have not. This Society feels that its most effective work has been accomplished in its educational efforts, through the schools and frequent meetings and lectures in the winter months, and field meetings during April and May, for the past three years. Classes for teachers have been formed and courses of six weeks' study given. All milliners and dealers have been warned against selling the plumage of native birds. Occasional inspections of markets, millinery establishments, and live bird stores have been made. The Society has not directly made any prosecutions but has furnished evidence that has led to convictions in a number of cases.

A reference library of bird books is owned, to which additions are made from time to time.

#### FLORIDA.

*Legislation.* — The law is satisfactory and is being enforced.

*Warden Work.* — Florida contains so much wild land, especially in the southern portion, and is the home of so many interesting and beautiful birds, that the Thayer Fund employs a special officer who has legal authority to make arrests and who devotes his entire time to the work of bird protection. As the territory that he has to cover is very large, and the methods of travel are slow and uncertain, it would be a great help in the work if the Society could secure the funds with which to purchase a light-draft naphtha or electric launch. This would enable our warden to move rapidly from place to place and readily overtake plumers, who have to depend on sails as a motive power while visiting the breeding grounds when pursuing their nefarious business. Our warden, Mr. Bradley, is well known to several members of the A. O. U., and also to members of the Florida Audubon Society.

How very necessary this special work in Southern Florida is, can best be shown by a letter dated April 30, 1902, addressed to the Chairman of the Executive Committee of the Florida Audubon Society by one of the members, a resident of the southern section of the State, to whom the question was referred for investigation.

“I did not at once answer your letter in reference to rookeries



FIG. 1. BROWN PELICAN AND NEST IN YOUNG CABBAGE PALMETTO.  
The same nest, with a bird seated on it, is shown in the picture below.



Photographed by Frank M. Chapman.

From Bird-Lore

FIG. 2. A CORNER OF PELICAN ISLAND.

The nest on the young cabbage palmetto in the background, with a bird upon it, is shown in detail above.

and the appointment of game wardens to look after them, because I was not then certain where the greatest need for protection, in this section of the country, existed. But I have since found out. I returned only last night from an extended cruise among the Keys to Cape Sable and the Southwest coast. At Cape Sable I found the paradise of plume hunters and the purgatory of birds. The latter, driven from haunt to haunt all over the State, have at last reached the uttermost limit of mainland territory, and to it the hunters have followed them. There dwells in a state of constant terror the last surviving flock of Flamingo known to exist within the boundaries of our State; they number nearly one thousand birds and are wonderfully beautiful to look upon. There are also Roseate Spoonbills, Egrets, Wood Ibises, and many other species in sadly diminished numbers, but still numerous enough to delight the heart of an ornithologist or bird lover. But, alas, the relentless plume hunter has followed them even to this remote sanctuary, and the reported destruction of bird life last month is heart sickening. The utter extermination of those beautiful remnants can only be averted by the prompt appointment of a resolute game warden and a rigid enforcement of existing laws.

“The game warden, to deal with this situation, must be a resident, well acquainted with local conditions, a strong, fearless man, and one fully alive to the value of bird protection; also, he must be not only willing but anxious to serve.

“Fortunately for the birds and for us, I found residing at Cape Sable, a man who combines in himself all these requirements. He is a young man, brought up from earliest childhood on the east coast of Florida, a thorough woodsman, a sturdy, fearless fellow, filled with a righteous indignation against the wretches who, in open defiance of all laws, are using every effort to kill off the few remaining birds of that section, and he is anxious to be invested with authority for the protection of those that still remain. He has a brother equally interested in the subject who would make a most efficient deputy. I have known these boys for many years, and can honestly say that I know of no better man for game warden in the whole State of Florida than the elder. It is a case in which the promptest possible action is desirable, since another season will doom the Cape Sable flocks to destruction if

measures for protection are not taken in time. The warden must have fullest authority from the State and be supported by the entire strength of our Society; also a certain remuneration must be given him, as he will be obliged to cover much territory at a great expense of time."

Since his appointment in May last Mr. Bradley has been actively engaged in visiting all parts of his territory, posting notices, and thoroughly informing the citizens that there is now a law protecting birds. A large class of the citizens are law abiding, but were not before acquainted with the fact that a bird law is in force. In several other channels he has rendered valuable service, especially in investigating the subject of 'egging,' which has heretofore been carried on in an alarming and very destructive manner. Every effort will be made during the coming breeding season to stop this wasteful practice, as it is now absolutely illegal.

Another warden was employed, Capt. C. G. Johnson, keeper of the Sand Key Lighthouse, about seven miles from Key West. A large number of sea birds breed on this and adjacent keys, all of which have been thoroughly posted with warning notices. The warden reports that no birds have been shot nor have any eggs been taken by fishermen or others. Some eggs are destroyed every year by turtles crushing them when they are crawling up on the key to deposit their own eggs. The warden also writes that the Key West fishermen are all under obligations to him for permitting them to come ashore on the key in order to catch sardines for bait. "They have all been notified by me personally about the law, and I do not think that they will give any trouble in the future." I was informed by a previous keeper that several thousand breeding birds could not successfully raise more than a few hundred young, so thoroughly were the eggs collected or trampled on in order to get fresh ones on the succeeding visit.

The sea birds that breed on the various keys at the Dry Tortugas have had complete protection, as per the following letter from T. C. Treadwell, Captain, commanding U. S. Naval Station, April 21, 1902.

"*Dear Sir:*—

"Replying to your letter of the 12th inst. with regard to the protection of birds on these keys, I have to state as follows :

"It has been the custom here for a long time to get eggs from Bird Key. A short time after my arrival here (in June last) I issued an order forbidding this and published the poster of the Ornithologists' Union, and birds have not been harassed since that time.

"I will have the warning notices you sent posted, and issue necessary orders for the protection of the birds on these keys, and do whatever I can to help the Ornithologists' Union in their work.

"Bird Key is less than a mile from Fort Jefferson. Upon this key gulls, terns, etc., breed in enormous numbers, also to some extent on Loggerhead, about three miles distant.

"There are in this vicinity, besides the above gulls and terns, pelicans, hawks, doves, boatswain birds, and other sea birds."

Pelican Island, in Indian River, which is the breeding home of a large colony of Brown Pelicans, was cared for by a paid warden during the present year. Mr. Paul Kroegel, who was in charge, reports that the island was posted with warning notices, and that he kept close watch over it. He also says that owing to reckless slaughter in former years the birds are not nearly as plentiful as formerly, but as the birds are not being disturbed this year they have become very tame. On May 25 they had about finished laying eggs. On July 25 he wrote that "the young were all able to fly. I believe this to be the most peaceful season the birds have known. Living as I do directly opposite the island I can see every boat that goes there. I have only had occasion to go there four times in addition to my regular trips. It is impossible to tell how many young were raised but I should judge about five hundred or more."

As it is important that this colony should always be protected, it has been deemed advisable to get legal possession of it, and to that end your Committee has had it surveyed and has taken all the necessary steps to purchase the island from the State of Florida, the title still being in the name of the Commonwealth as unsurveyed public lands. It is hoped that before the next breeding season is reached the A. O. U. will have absolute control of the island as owner in fee simple. In this connection it is fitting to call attention to the very valuable aid rendered by Mrs. F. E. B. Latham, of Grant, in securing protection for this colony of pelicans, and also for material help in other matters relating to bird protection in her section of Florida.

*Audubon Work.*—The State Society is particularly aggressive and is doing fine work, especially in educational lines. The chairman of their Executive Committee reports the distribution of about 4,000 leaflets. “In addition, 2,200 warning notices have been sent to every part of the State; 300 of these were posted in the offices of the Southern Express Company and one in every post office in the State.

“Fifteen Massachusetts Audubon Bird Charts, accompanied by the ‘First and Second Book of Birds’ (Miller), are in circulation as the nucleus of a library. They are in charge of local secretaries who place them in schools in their towns. Notices have been sent to persons found violating State bird laws, and sales of caged wild birds have been prevented. Letters were written to Florida Congressmen urging the passage of the Alaska Game bill. An article was written by a member of the Society on the egret, entitled ‘Does Fashion make Women Heartless?’ This was originally published in the Florida ‘Times-Union’, was copied in many other papers, and was eventually published in leaflet form for general distribution.

“As the introduction of bird study in schools seemed to be a matter to bring before the people, several articles on this subject have been contributed to the ‘Times-Union’, and all have been published, through the courtesy of the editor, Mr. Wilson.

“Special editorials on bird protection have been written and published by Mr. Painter, editor of the ‘Florida Agriculturist.’

“For the first time, in Florida, summer schools were opened at various large centers, and it was the endeavor of the Society to have some attention given to bird and nature study, and it is felt that our success was largely forwarded by Mr. Sheats, State Superintendent of Instruction. The influence of the summer work is showing itself in the schools of the State, as the following extracts from letters bear witness: ‘East Florida Seminary and Military Institute, J. M. Guillian, Sup’t. In our science work we show the value of birds and shall try to have every student leave the institution a lover and protector of birds.’ The President of the State Normal School says: ‘Our model school has a large amount of nature study and we urge young teachers to cultivate a love of birds and explain their economic value to their pupils. It

is a pleasure to me to encourage this work, which I hope in the future to carry on in a more systematic manner.'

"The membership of our Society is about 400; lately some 230 circular letters soliciting membership have been sent out and it is hoped good results will follow. When we realize what interest has been developed since the Society was organized in 1900, especially among the educational classes, we feel we are furthering bird protection."

#### ILLINOIS.

*Legislation.* — The bird law is satisfactory, as it embraces nearly all of the A. O. U. model law.

*Warden System.* — No wardens were employed by the Thayer Fund.

*Audubon Work.* — This is one of the larger and more aggressive societies, especially in its activity against the sale of illegal millinery goods in Chicago. It reports a membership of 14,272, and that it has distributed several thousand leaflets, of which 1,000 were sent to milliners and contained the portion of the law bearing on their work. Slides to illustrate a bird lecture have been prepared, and it is expected that a traveling lecture outfit will shortly be in use. It also has two traveling libraries in circulation.

Convictions for violation of the bird law have been obtained through the Game Commissioner and his wardens. An effort will be made to have a law passed establishing a Bird Day in conjunction with Arbor Day. The President of the Society has examined the stock of a number of Chicago millinery houses to point out illegal plumage. The proprietors of a number of these houses have written letters to the executive officers of the Society expressing full sympathy with Audubon work and also promising not to sell any North American birds. The National Committee leaflet, 'Ornithology in the Schools,' will be distributed by the Superintendent to teachers in the State. The Society will also have printed an 'Outline of Bird Study'; this outline has been in part printed by the Illinois Federation of Women's Clubs, in one of its hand books under programs for study classes, and was there credited to the Audubon Society. During the past year one leaflet



was published, 'Birds in Horticulture,' by Wm. Praeger. The Executive Committee is now divided into sub-committees,—on Meetings, Legal Millinery, Bird Study, and Junior Members,—for each of which there is a special chairman, and publications.

#### INDIANA.

*Legislation.*—The bird law is excellent, being after the A. O. U. model; but the beneficial hawks and owls should be removed from the excepted class.

*Warden System.*—No wardens were employed by the Thayer Fund.

*Audubon Work.*—This Society is actively at work along the line of enforcement of the law, as shown by the following report:

"E. E. Earle, Chief Deputy Commissioner of Fish and Game for Indiana, was in consultation with W. W. Woollen, secretary of the Indiana Audubon Society, for the purpose of securing the coöperation of that society with the State Fish and Game Commission, more effectually to protect the birds. His proposition, which will be accepted, is to deputize every member of the Audubon Society an officer of the Commission, with full police power, and the duty of arresting and prosecuting all persons found violating the law for the protection of birds.

"It is also proposed to have deputies placed at all the lake and other summer resorts, with explicit instructions to arrest, after warning, tourists, strangers and others who may violate such laws. Placards will be posted in the hotels at all summer resorts, giving a synopsis of the fish and bird law of Indiana."

#### IOWA.

*Legislation.*—The bird law needs improving, as it only protects a limited number of species. As, however, there will not be a session of the legislature until 1904, nothing can be done during the coming year except to endeavor to create a sentiment in favor of the A. O. U. model law.

*Warden System.*—No wardens were employed by the Thayer Fund.

*Audubon Work.*—There are two societies in the State, one with headquarters at Keokuk and the other at Schaller. The

latter reports a membership of 200, and that it has distributed some thousands of the National Committee leaflet No. 2, 'Save the Birds.' It also has an illustrated traveling lecture which is doing good educational work. No report was submitted by the Keokuk society.

#### KENTUCKY.

*Legislation.*— During the past year the American Ornithologists' Union model law for the protection of non-game birds was adopted in this State.

*Warden System.*— No wardens were employed in Kentucky; 3,000 muslin warning notices, giving the text of the bird law, displayed in the post offices of the State, were furnished by the Thayer Fund.

*Audubon Work.*— The Kentucky Society is a very small one, having only 100 members. About 500 leaflets were distributed, in addition to the warning notices. One library of bird books is in circulation. Two convictions under the new law have been obtained.

#### LOUISIANA.

*Legislation.*— On June 26, 1902, a new game law was approved by the Governor. It gives partial protection to six species of non-game birds, but leaves unprotected all of the other valuable and beneficial non-game birds of the State. It permits the trapping and caging of Mockingbirds and Redbirds "for domesticating purposes." This practically means that the live bird dealers, who make their headquarters in New Orleans, can send out their trappers and secure Mockingbirds and Cardinals enough to supply the rest of the world. If the citizens of Louisiana awake some day to the fact that their gardens and fields have been denuded of these beautiful singers they will know that her legislators saw fit in 1902 to refuse to pass the A. O. U. model law, which had been introduced. The Hon. J. A. McIlhenny made a strong but uphill fight for the bill, which was finally defeated by the influence of the cage bird dealers.

*Warden System.*—No wardens were employed by the Thayer Fund, nor is it deemed expedient to make any effort to patrol the few remaining sea bird colonies on the Louisiana coast until there is a law to protect them.

*Audubon Work.*—During the past few weeks a Society has been organized, which will at once be incorporated. Some very ardent bird protectors will be its officers and managers, and much good work is expected from them. Its first and most important duty will be to educate the people of Louisiana regarding the value of birds as an asset of the State, in connection with its agricultural and forestry interests. When the people have awakened to these facts they will take measures to protect the birds.

#### MAINE.

*Legislation.*—The law is entirely satisfactory.

*Warden System.*—Warden work has been continued this year with the most satisfactory results. All of the stations have been visited by some member of the Union, and the following extracts from their letters and the reports of the wardens will give in detail the practical benefits resulting from the operation of the Thayer Fund.

G. E. Cushman, warden at Bluff and Stratton Islands, reports as follows: "As I am a fish and game warden for the State, I have a chance to go along the coast, and I have seen more terns this year than last, and it has been remarked to me several times this year that there are more gulls on our coast than for years, and that they are very tame. I protect all kinds of birds."

Mr. A. H. Norton, a member of the Union, visited these colonies July 1, and writes: "It gives me much pleasure to report a most satisfactory condition there. The colony breeding on Stratton Island resorts to the brackish rivers which flow from the Scarborough marshes, to feed, and while at Pine Point, one of the seaward barriers between the ocean and these marshes, I was greatly pleased to see large flocks of the terns resting on the seaward beach at high water, a thing I have never witnessed there before, and there were also large flocks on the edge of the marshes at rest.



Photographed by F. M. Chapman.

From Bird-Lore.

FIG. 1. COMMON TERN ON NEST.  
Photographed at a Protected Colony on the Coast of Massachusetts.



Photographed by William Dutcher.

FIG. 2. YOUNG COMMON TERN, HIDING; Illustrating Protective Coloration.  
Photographed at a Protected Colony in Maine.

"I think that the birds have been practically unmolested at both feeding resorts and breeding grounds. By the way, I had furnished one of the fishermen at Pine Point, which is a favorite gunning resort in the season, a good supply of the warning notices, and some of these he tacked upon the door of his house, and I think that the result was good. At any rate, the residents there are quite familiar with the law and respect it, as far as I have been able to observe."

Mr. Norton, while inspecting the islands in Muscongus Bay, discovered that terns had commenced to breed again on the Outer Green Island and Junk of Pork. These islands formerly supported colonies of terns but later were abandoned. It is evident that protection and the enforcement of the bird law of Maine may result in the growth of the infant colonies on these two islands; he suggests that these islands be posted in 1903, in the hope that the colonies may increase to their former abundance.

Mr. Norton also visited Metinic Green Island, where he was confident he would find a colony of terns. He reports as follows: "I was not prepared for the sight which was before me. From the time I departed from Burnt Island Life Saving Station, one or more terns were always in sight. Upon arriving I found the birds in practically an unmolested condition, and extremely tame. I need not say that this magnificent colony of birds owes its existence to-day to your vigorous and successful action against the market for tern skins. I estimate the colony at upwards of two thousand. Two pairs of Laughing Gulls rose at our arrival, and search revealed two nests. That night thirty-two Laughing Gulls, all adults, came to roost on the ledges just off the shore. Sea pigeons were in some numbers, grouped in little bunches upon the water or resting upon the rocks. Petrels were also breeding, but in small numbers in comparison with other colonies in this region. The Terns were the Common and Arctic, the latter being far the most abundant. At this time few nests contained eggs; some young were just hatched, and from these every stage of growth was before me. As I walked along the shore, the young, which could fly short distances, went in all directions before me, and the usual throng of screaming adults hovered above.

"In every direction the adults were going out and coming in

with food. A few young were with their parents three miles from land. Here, as at Freeman's Rock, a great mortality among the young was observed. There was at this island, at half tide, some large pools, and a calm cove protected from the ceaseless surf, and these, at the right stages of the tide, were filled with young terns bathing like land birds, and evidently they were in the height of enjoyment when thus engaged. In 1896 I visited this island and recorded a fairly large group for the size of the place; to-day I judge the colony has doubled, and in view of the ease by which this place could be given protection an overflow seems the natural result. The island contains about 12 or 15 acres, and owing to the absence of sheep is covered with a rank growth of grass. Mr. Snow, the owner of the island, signified his willingness to lease the island to the A. O. U., and would probably act as our warden."

Capt. J. E. Hall, keeper of the Matinicus Rock Lighthouse, reports that the terns were not disturbed at all, and that there was a large increase; he also states that there was an unusual mortality among the young birds owing, he thinks, to the very cold season and heavy rainfall which chilled the very young birds. Mr. F. H. Herrick, a member of the Union, visited this island for the Committee and estimates that this colony numbers about 3,500 birds.

Capt. Mark Young, owner of and warden on No-Man's-Land Island, reports as follows: "Not an egg has been taken nor a Herring Gull killed in the colony I have charge of. The first eggs were found May 15, and the first young bird June 8." Mr. Herrick visited this island also, and states that Capt. Young takes great interest in his birds and makes a good warden. He says: "I spent some days on the island, July 11-14, and estimate the number of birds at 3,000. Very few eggs were then to be seen, but young in all stages, up to one and a half pounds; no chicks had taken to the water at that period. I expected to find the birds far wilder than at Great Duck Island, but could see little difference in this respect. At either place they settled readily within 20 or 30 feet."

Mr. A. H. Norton, who made an extended tour of investigation along the Maine coast for the Protection Committee, reports that a fair sized colony of terns still flourishes on the Eastern and Western Barge Islands, near Mt. Desert Island.

Capt. W. F. Stanley, keeper of the Great Duck Island Lighthouse and the warden, reports as follows regarding the large colony of Herring Gulls in his charge: "Commenced to arrive March 12, and the number increased until the last of May. The first egg was found May 15, and the first completed set of three eggs May 22." He estimates that there are 3,400 birds on Great Duck Island and about 2200 on Little Duck. He has had no trouble in protecting the birds or eggs and the only mortality was from natural causes, almost always accidents.

Mr. Herrick, who spent some days on the Duck Islands, reports these colonies in excellent condition.

Mr. W. L. Baily, one of the members of the Union, also visited the Duck Islands this season to complete his study of the life history of the Herring Gull. He reports that the "gulls were possibly more abundant than in 1901. There seemed to be more birds but few more nests; the great quantity of birds that were hatched last year were not there and must be wanderers unless they have settled in other parts."

Capt. O. Cummings, keeper of the Nash Island Lighthouse and the warden of Cone Island, reports as follows: "No eggs were taken nor were the Herring Gulls disturbed." This colony numbers nearly 1,000 adult birds, and there was a normal increase during the breeding season. This was the only colony that was not inspected.

Capt. O. B. Hall of the Crumple Island Life Saving Station was the warden for the colonies of Terns, Herring Gulls and other birds on the islands in his vicinity. He reports that all of the Herring Gulls that bred in 1901 in this locality arrived as usual in the spring, but shortly after left and bred further east on Pulpit Rock. This he attributed to the fact that the herring were more abundant there. He posted warning notices, and the birds were not disturbed. Their increase was normal.

The terns started to breed on Egg Rock as usual, but during a very heavy storm on June 27, the rock was swept by the heavy surf and all the eggs and young were destroyed. The adult birds then deserted the rock.

Mr. Norton visited this station and confirms the report of Capt. Hall; he also adds: "On Freeman's Rock, a mound or ledge

rising like a rugged cone for perhaps fifty feet and containing less than two acres of area, was a flourishing colony of terns and Black Guillemots. From the top of the rock the entire colony of terns was in sight at once. I roughly estimated them at from five to seven hundred old birds, with Arctic Terns decidedly in the majority. I found the warning notices most conspicuously placed, and on the small rocks they commanded attention long before we reached them. Further observation led me to consider this a most important factor in the protection afforded by the Committee. The birds here were very tame, and there were no evidences of molestation. A few nests still contained eggs (July 25), and young were in every stage of growth to those that could take short flights; none were on the wing, and were everywhere to be found, making it necessary for one to look carefully before each step when walking in the scanty herbage. Abundant as were the living, I noticed quite an extensive mortality among the downy young, and their decaying bodies were scattered over the island. There was no visible cause, but two things suggested themselves: one, an epidemic; the other, that the damp, cold summer just passed had not supplied sufficient warmth and sunlight to keep them from being chilled. The Sea Pigeons were also tame; they were in little groups of from two to six, and in one instance a flock of fifteen was seen."

Capt. R. G. Johnson, keeper of Libby Island Lighthouse and the warden for the Brothers Islands and Libby Island, reports as follows: "Since the enforcement of the law there has been an increase in the number of young Herring Gulls raised on the Brothers. They sit on the shores in large numbers after they become full fledged. There is also a marked increase in the number of terns on Libby Island. I do not allow any shooting on the island."

Capt. L. E. Wright was the warden for the Old Man Island and Double Shot Island, each of which was the breeding place of Herring Gulls. He reports that the birds were not molested, as all classes of people take it for granted that the birds must be left alone.

Mr. Norton, who passed close to the Old Man colony July 26, reports that numbers of gulls were hovering about it and were



lighting on the ground and trees. The same day Mr. Norton visited Machias Seal Island and reports as follows: "Of Puffins, I saw but few, but was assured by the officials of their abundance at evening and morning. Petrels were abundant, and terns were by the thousands. With my limited time I was unable to determine the presence of anything but the Common Tern and Arctic Tern. Capt. Kelly told me that no one molests the birds."

*Audubon Work.*—There is no Society in Maine, but the Ornithological Society is practically doing the same work in a very intelligent and satisfactory manner, all of its large membership being ardent bird protectors. The Secretary, Mr. A. H. Norton, writes as follows regarding Audubon work: "Expect to have some data of value to present at our annual meeting, and it seems that success must come of the efforts that are being made. If the spirit of bird protection could be worked more into the rural public schools, I believe that it would be seed sown in the right ground. With the millinery market banished, a few years of protection, the early inculcation in the young of the principle of kindness to living creatures, I believe that our bird colonies will be secure."

#### MARYLAND.

*Legislation.*—None. The present law is a very good one, although there are some valuable birds that it does not protect, and others that are not protected the entire year. Killing the Mourning Dove should not be permitted at any time, nor should the sale of Flickers be permitted in Baltimore, as it furnishes a market for birds which must be illegally killed in other portions of Maryland or in other States.

*Warden System.*—The same warden was employed who has acted for the two previous years; he reports a very steady and material increase in the colony of Common Terns under his care, and that no attempt was made by plume hunters to disturb the birds; he also says that little or no egging was done, as the fishermen think it cheaper to buy eggs of domestic fowls for use rather than risk the heavy fine for taking the eggs of terns.

*Audubon Work.*—The Maryland Society is small, numbering

only 80 members, and has done no active work during the past year. The National Committee will make an effort during the coming season to enlarge and build upon the existing nucleus. The city of Baltimore, being a large distributing center, needs an active and aggressive body of Audubon workers to see that the wholesale millinery establishments do not deal in illegal plumage. An effort should also be made to improve the present bird law, as suggested under the head of legislation. The Maryland members of the A. O. U. are urged to take a personal interest in this matter and push bird protection work in their State.

#### MASSACHUSETTS.

*Legislation.* — The bird law in this State may and should be improved. It does not protect the beneficial hawks and owls, nor does it protect the Herring Gull and Black-backed Gull between November 1 and May 1, practically the only season when they are resident in Massachusetts. In this connection it is but just to call attention to the fact that the Audubon Society, through its Protective Committee, has made earnest and repeated efforts to improve the law and promises renewed efforts during the coming legislative session.

*Warden Work.* — Mr. Mackay, who has for so many years energetically and successfully protected the tern colonies on Muskeget Island, reports that during the past season they were cared for in the usual manner, and he also reports that the tern colony on Penikese Island was protected by the owners, the Messrs. Homer. By permission of the owner of Naushon Island, Mr. J. M. Forbes, his manager, Charles O. Olsen, was appointed warden for the Wepeckets Islands. The islands were liberally posted with warning notices and the warden reports that this colony of terns has not been disturbed to any extent this year. On June 15 he counted 860 eggs and found four young birds just hatched.

Mr. J. E. Howland of Vineyard Haven, an ardent sportsman and an earnest bird protector, volunteered to post warning notices in the growing colony of Least Terns on Marthas Vineyard. He reports: "I have a number of times visited the shore and have seen a good many Least Terns about; they nest in limited

numbers all along our south shore. I informed a member of the State Police, who lives in Edgarton, of the posting of the notices, and he gave parties in that section to understand that the warning must be respected."

*Audubon Work.* — The Massachusetts Society is another of the aggressive and progressive ones. It reports a membership of 5,362. It has distributed in the neighborhood of 8,000 circulars during the past year, besides posting 800 copies of the bird law. Two illustrated lectures and five libraries are kept at work continuously.

Definite evidence of violations of the law have been brought to the attention of the Fish and Game Commission, thus enabling the State officers to obtain convictions. A second bird-chart has been published, and the annual bird calendar has been continued. Each winter a lecture course is maintained. The Society has 110 local secretaries, some of whom are doing splendid work in the way of free lectures, hat shows, and bird walks. The report of the Society for 1897-1902, published Oct. 10, 1902, gives an admirable résumé of the good accomplished by this 'very much alive' group of bird protectors. The liberal circulation of this excellent publication will do very much to advance Audubon work, not only in Massachusetts but throughout the whole country.

#### MICHIGAN.

*Legislation.* — The bird law is, in many respects, an excellent one, but is not comprehensive enough, as it does not protect all of the non-game birds. By a very simple amendment to Section 14, Public Acts of 1901, the law would be much improved.

*Warden Work.* — No wardens were employed by the Thayer Fund. Late in the season a large colony of Herring Gulls was called to the attention of the Chairman, and it is proposed to have them guarded by a paid warden during the breeding season of 1903.

*Audubon Work.* — There is no society in the State, but some educational work has been done by the Chairman of the National Committee. Through the courtesy of the Great Record Keeper, Emma E. Bower, M. D., of the society of the 'Ladies of The

Maccabees for Michigan,' 2700 copies of the National Committee Leaflet No. 3, 'Save the Birds,' has been sent to the local branches and will be read to the members, who number over 68,000.

#### MINNESOTA.

*Legislation.*—The bird law is a good one but should be amended by giving protection to the beneficial hawks and by removing the 'Turtle Dove' from the list of game birds. There should also be a provision preventing caged birds from being offered for sale and from being shipped out of the State. If the words "wild birds" were to be substituted for "harmless birds" in the law it would be much more effective.

*Warden System.*—No wardens were employed by the Thayer Fund. In this connection it is suggested that if any A. O. U. member will 'locate' within the State any large colonies of breeding water birds, especially Gulls and Black Terns, wardens will be appointed for service during the breeding season.

It appears from examinations of millinery stock in other States that the Black Tern is the species that is now most used as a millinery ornament.

*Audubon Work.*—Two societies are working in the State, the one at Lake City being rather local in its efforts. It was started by a few persons who loved birds and desired to study them, the principal object being to interest the children and teach them to love and protect the birds. The State Society reports a membership of 1200.

#### MISSOURI.

*Legislation.*—The Executive Committee of the Missouri Audubon Society has drafted a new game bill which will be introduced at the next session of the Legislature, early in 1903. It is very comprehensive; the A. O. U. model law is used for the sections referring to the non-game birds. If this bill becomes a law, game animals and all birds will be hedged about with the very best kind of legal protection.

*Warden System.*—No wardens were employed in the State.

*Audubon Work.*—While the Missouri society is small, consist-

ing of about 180 members, it is remarkably active and aggressive. It has advocated through the press a better bird law and has distributed 28,000 circulars having the same object in view. Remarkable success has rewarded its efforts, and it has succeeded in creating a demand throughout the State for the reforms that the society recommends. It promises that when its bill becomes a law it shall be enforced to the letter.

#### NEBRASKA.

*Legislation.*—There is grave doubt whether under the present bird law any protection is given to the large class of harmless but useful water birds. Further, no one should be permitted to kill the beneficial hawks and owls, even on his own premises. Doves should be removed from the list of game birds. It would be a marked improvement if the A. O. U. model law were to be adopted by the Legislature.

*Warden System.*—No wardens were employed by the Thayer Fund.

*Audubon Work.*—There is no society in the State, but the members of the Nebraska Ornithologists' Union have been very active in bird protection work, especially along educational lines. Leaflet No. 2 of the National Committee, 'Ornithology in the Schools,' was written by a member of the Nebraska Society, and it has had a circulation of many thousand copies. It has circulated thousands of leaflets on bird protection issued by the Department of Ornithology of the University of Nebraska. Prof. Bruner and Dr. Wolcott of the society, give illustrated lectures on birds, both emphasizing bird protection.

#### NEW HAMPSHIRE.

*Legislation.*—The bird law is very satisfactory, the A. O. U. model having been adopted, together with a strong common carrier clause.

*Warden System.*—No wardens were employed by the Thayer Fund.

*Audubon Work.*—The society reports a membership of 306. About 4000 leaflets and circulars have been distributed during the past year; also 500 copies of the bird law have been posted or distributed. An illustrated lecture has been loaned to all who apply for it, free of cost, the only condition being that the lecture shall be free to the public. During the past year it has been almost constantly in use and has apparently given great satisfaction. One circulating library is in use. The Society has had the coöperation of the very active State Fish and Game Commission, and has in several cases been instrumental in checking violations of the law. Fines have been imposed by the Commission. As there is no appeal from their action, no cases have come into court. The same activities which have engaged the society from the beginning will be continued. These are especially interesting women's clubs in the work, the formation of branch societies, and the distribution of bird literature at grange meetings and teachers' institutes, and furnishing to the public schools an outline of bird study for regular use throughout the year.

The Secretary adds: "So far as concerns the local and State work of our society, my feeling is one of hopefulness, but when I see, as I did in my recent trip, both in New York and Boston, how regardless both milliners and wearers of millinery are of the existing bird laws and of the feelings of bird lovers, I must acknowledge that the work of the Audubon societies is but begun. It is evident that our efforts to influence public opinion in behalf of bird protection must be continued with unabated zeal."

#### NEW JERSEY.

*Legislation.*—The law is satisfactory and is being actively enforced by the Fish and Game Commissioners, who show no mercy to anyone found guilty of killing a non-game bird at any time, or game birds out of season.

*Warden System.*—Two wardens were employed by the Thayer Fund to guard colonies of Laughing Gulls and Terns on the coast. During the coming season these wardens will have the power of arrest conferred upon them by the Fish and Game Commission, which will add very much to their effectiveness. Capt.

R. S. Ludlam, of Stone Harbor, reports that the 'mudhen,' *i. e.*, Clapper Rails, did splendidly, but that the colony of about 1,000 Laughing Gulls did not raise over 100 young this year, owing to the loss of nearly all the eggs by a heavy storm tide early in June. The colony of terns is very small but made a normal increase. The birds were not disturbed by men or boys during the season.

Capt. J. B. Rider, of Little Egg Harbor, reports that the colony of terns in his charge did well this year and probably raised about 600 young, as near as he could judge; they were not disturbed. These two small colonies of terns and the one colony of Laughing Gulls are all that are left of the once countless numbers that bred on the New Jersey coast; all were cruelly and wantonly sacrificed on the altar of fashion. It will take years of the most patient and watchful care to repopulate the beaches and marshes of the New Jersey coast with these beautiful and graceful sea birds.

*Audubon Work.*—The New Jersey Society reports about 500 members. Local societies have been started in seven places during the past year. About 300 leaflets have been distributed, also some warning notices. Appeals and letters were sent out to over 200 persons last spring in an effort to pass an anti-pigeon shooting bill, which proved unsuccessful. During the coming winter the attempt will be renewed. A circular will shortly be sent out in an effort to check the use of wild bird plumage for millinery ornaments. The Society is doing all it can to create sentiment in favor of bird protection and to aid the Fish and Game Commission in its effective enforcement of the bird laws.

#### NEW YORK.

*Legislation.*—An amendment, which materially strengthened the previously excellent bird law, was passed at the last session of the legislature, as follows: "Section 141. Wherever in this act the possession of fish or game, or the flesh of any animal, bird or fish, is prohibited, reference is had equally to such fish, game or flesh coming from without the State as to that taken within the State."

A great many convictions have been obtained during the past year by the Forest, Fish and Game Commission, who deserve great credit for the effective manner in which they are enforcing

the bird statutes. The suit referred to in the report of 1901, was settled early this year by the payment on the part of the defendant of the sum of \$260; there is also a judgment for a large amount held against him, which it was agreed not to press unless he was again found violating the law. The moiety of the fine paid that was given to the member of the Audubon Society who furnished the evidence was contributed to the Endowment Fund for the Protection of North American Birds.

*Warden Work.*— Three wardens were employed by the Thayer Fund, as in the previous year.

Capt. C. W. Rackett, who had charge at the north end of Gardiner's Island, reports that no terns were shot nor were any eggs taken, and he thinks that the increase has been large.

Capt. H. S. Miller, who has charge of the colony at the south end of Gardiner's Island, also reports a very satisfactory season for the terns, and a material increase. This large colony of terns is very fortunately located, as Mr. John Lyon Gardiner, the proprietor of the island, will not allow any shooting or trespassing, and therefore the terns and other birds are exceptionally well protected. There is also a fair-sized colony of terns on Fisher's Island, which was protected by Capt. Fowler. This colony is somewhat scattered, and it is more difficult to give them absolute protection, they being nearer the cruising ground of the hundreds of small craft that are to be found in Long Island Sound during the summer months.

At the request of Mr. Harold Herrick of New York, President Baldwin of the Long Island Railroad had warning notices, giving the bird laws, posted in every station. This action probably did a great amount of good. The members of the Bird Section of the Rochester Academy of Science have done splendid protection work during the past year by posting a large number of warning notices in Munroe County, and by work in the schools among the teachers and scholars.

*Audubon Work.*— The Secretary of the New York Audubon Society reports that it is now better equipped to develop the educational features of the work than ever before. Through the efforts of Miss Blunt, one of the local secretaries, a sufficient sum of money was secured to equip an illustrated traveling bird lecture.



The lecture has been given many times before audiences varying in numbers up to three or four hundred. Three sets of colored plates of birds are owned and loaned for class work. Fifty sets of the Massachusetts Audubon Bird Charts have been distributed among the local secretaries. Over 18,500 leaflets and law posters have been distributed during the past year. Of these nearly 1,500 were sent directly to the milliners, live bird dealers and wholesale butchers in Greater New York. The special circular sent directed their attention to the State and Federal laws protecting birds, and requested a strict observance of the same. Eleven new local secretaries have been added during the past year, making the number at the present time 68. The total membership of the society is 3,418. The Hon. Charles R. Skinner, Superintendent of Public Instruction, has agreed to send a copy of the National Committee leaflet No. 2, 'Ornithology in the Schools,' to every school in the State early in the coming year.

#### NORTH CAROLINA.

*Legislation.* — The bird laws of this State are very unsatisfactory. A few birds receive protection a portion of the year only, the balance none at all. County laws now in force should be superseded by one law for the whole State, which should be comprehensive and stringent. In few States on the Atlantic Coast has there been such a wholesale slaughter of bird life as in North Carolina. When thousands of game birds are killed in a single season for the feathers alone it is time to cry, halt! and for the strong arm of the law to interfere. Until the legislature of North Carolina sees fit to pass an effective bird law this slaughter will continue, but it is to be hoped that one will be enacted before it is too late.

*Warden System.* — No wardens were employed by the Thayer Fund, as it has been found useless to engage wardens where there is no law to be enforced. When a good bird law is placed on the statute books of North Carolina, wardens will be at once employed to guard all of the colonies of sea birds that remain on the coast.

*Audubon Work.* — The Audubon Society of North Carolina

"for the Study and Protection of Birds and the Preservation of Game," was organized in Greensboro, North Carolina, on the 11th of March, and was incorporated on the 21st day of October, 1902.

At the present time its membership is as follows: Life members, 8; sustaining members, 86; regular members, 308; junior members, 386; total, 788. Six branch organizations have been formed in graded schools, and it is the purpose of the Society to grant charters to these branch societies. They are as yet in an experimental stage; some have regular meetings and much interest is displayed, while others have been all but failures. About 9000 leaflets have been distributed, and the secretary has given fifteen public lectures, presenting the objects and aims of the Audubon Society. It is assisting the National Committee in procuring better legislation for the preservation of birds, and as a means of doing this is preparing to distribute 100,000 leaflets in the State before the meeting of the legislature in January, 1903.

#### OHIO.

*Legislation.* — During the past year a radical improvement was made in the game laws of Ohio, the section covering the non-game birds practically being the A. O. U. model law. If the Ohio Audubon Society sees that the statute is enforced the birds will receive ample protection.

By a special act of the legislature an annual Forest and Bird Day was authorized to be observed in the State.

*Warden System.* — No wardens were employed, but the Thayer Fund furnished for distribution in the State 3,000 warning notices, giving extracts from the non-game bird sections of the law, and the penalty for violating the same.

*Audubon Work.* — The Secretary reports as follows: "The Audubon Society of Ohio has just completed the fourth year of its existence. From a struggling nestling, it has grown steadily and healthily toward maturity, as nestlings should, and already its wings are plumed for glorious flight. As the eagle, 'she dwelleth on the rock and hath her lodging there.' That rock is *success*."

"The Audubon Society exists no longer as a sneer and a by-word, in the eyes of the people, a sentimental fad, but as an

earnest body of Nature-lovers and students, too far removed from vulgarity to contemplate with pleasure the wanton destruction of *any* living creature.

“From the auspicious inauguration of the Society until the present time there has been a growing knowledge with the public of the aims and purposes of the great Audubon movement, so that inquiries concerning the whys and wherefores of the work are rapidly diminishing in number. The demand now is not so much ‘Tell me something about this new Society,’ as ‘Give me literature, that I may by this means tell others the story.’

“The mails have been used hundreds of times for the purposes of the Ohio work this past year, and the four newspapers that are printed in English in Cincinnati, have received and kindly published notices of all monthly meetings.

“There has been a constant and impelling desire that the teachers and club women of our State should receive our literature.

“In November of last year, the Corresponding Secretary carried a message to hundreds of women assembled at the State Federation of Women’s Clubs in the city of Dayton, she having been granted, by the courtesy of the President of that organization, ten minutes’ time upon the program of the convention, and in conjunction with the Recording Secretary, who, by the way, did splendid service at the same time in the public schools of Dayton in behalf of Bird Protection, distributed much literature from that point.

“The President and acting Treasurer met the Game Commission at the Cuvier Club, during the session of the Ohio Legislature, and proved themselves extremely useful in making valuable suggestions to the Commission relative to the proposed amendment of Section 6960 of the laws of Ohio, the section relating to the non-game birds.

“Our President originated and secured the passage of the bill making it obligatory upon teachers to observe Forest and Bird Day in the schools of the State.

“Our Society is always represented in as many County Institutes for Teachers as possible. If there cannot be personal representation, a message is sent.

“A Branch Chapter is just forming this week in Cleveland,

which its projectors state, is to be the banner organization of the State.

"The workers in Cincinnati are being appointed to the different school districts of the city, for the purpose of conducting a vigorous campaign in the schools during the winter months.

"Of all classes, the mothers are the hardest to reach, and our greatest hope lies in the teachers, who are molding, in large measure, the generations to come."

#### OREGON.

*Legislation.* — The bird law is very defective, as it does not protect *all* of the non-game birds of the State.

*Warden Work.* — No wardens were employed by the Thayer Fund.

*Audubon Work.* — The Secretary reports as follows: "The Audubon Society of the State of Oregon came into existence July 1, 1902, as the result of the untiring enthusiasm of the Rev. Wm. R. Lord, the delegate whom Oregon sends to the present convention. The association has about 300 active members, but this is hardly a correct index to the interest that has been aroused. Last spring Mr. Lord gave bird talks to 18,000 public school children, to about 1,000 teachers, and to 3,000 other adults in evening lectures, everywhere receiving a hearty response to his message. There is every indication of a large increase in the membership next spring.

"No leaflets or circulars have been sent out, publicity having been obtained in other ways, viz., by means of Mr. Lord's talks, the circulation of his book on Oregon and Washington birds, which has been placed on the list for supplementary reading in the public schools by the State Text Book Commission of Oregon, and by the frequent and full newspaper reports of the work of the association.

"Copies of our bird laws are in the hands of our president, and are sent out upon request.

"Lectures have in the main taken the form of impromptu talks, without illustration. We have a collection of unusually attractive photographs of Oregon sea and land birds, taken in their native

haunts by some of our members. Stereopticon slides have been made of these. The photographs, enlarged to life-size, are of rare beauty as well as of scientific value.

“There have been one or two prosecutions and convictions of offenders against the bird laws; one \$10 fine for robbing nests in Portland was imposed by the efforts of our president, who is an attorney.

“Our work has chiefly taken the form of bird boxes and field observations. The John Burroughs Club of Portland offers annual cash prizes to the school children of Oregon for their knowledge of native birds. There is a growing interest in these contests, which embrace both a field test, 60 %, and a composition test, 40 %. An auxiliary club of 71 members at our State capital is about to introduce its work into the public schools. Mr. Lord expects to continue his lecture work next spring. Other projects will be planned to meet the demands of the hour as they arise.”

#### PENNSYLVANIA.

*Legislature.* — The non-game bird laws are in a very unsatisfactory condition, inasmuch as there is doubt whether the law of May 14, 1889, as amended April 15, 1891 (Sec. 30-36), was repealed or superseded by the law of 1897. The first of the above statutes is by far the better of the two and should be re-enacted, if it is not now in force. The Audubon Society should bring a test case to have the matter legally determined.

*Warden System.* — No wardens were employed by the Thayer Fund. In this connection the following very interesting letter is presented :

“On my father’s birthday I take great pleasure in sending the enclosed check as a contribution towards the fund for the protection of the gulls and terns. One of the last things which gave him pleasure in this world, a few days before his death, was watching from his window at Wood’s Hole, a large flock which had come into the harbor after a school of young herring. He used to lament their possible extinction, and would have rejoiced in this effort to prevent it. Yours very truly, LUCY H. BAIRD.”

*Audubon Work.* — The Secretary reports a membership of 6,800.

"About 2,000 educational leaflets were distributed during the year, also 1,000 copies of the bird laws have been posted. Our best work has been accomplished with our circulating libraries. There are twelve of these of ten books each. These were sent to sixteen different schools, making a total of 29 periods of three months each. A number of the teachers wrote appreciative letters, telling how much the books had been used and enjoyed."

#### RHODE ISLAND.

*Legislation.*—The bird law is satisfactory.

*Warden System.*—No wardens were employed by the Thayer Fund.

*Audubon Work.*—The Secretary reports the membership to be 621. About 500 leaflets have been distributed. An illustrated lecture is owned and is in constant use, also a circulating library. Fifty sets of the Massachusetts Audubon Society Bird Charts have been purchased during the past year and have been distributed among the country schools of the State. It is planned to have bird lectures under the auspices of the society during the present winter.

#### SOUTH CAROLINA.

*Legislation.*—Some of the provisions of the bird law are excellent, but the law is not comprehensive enough, as it does not give protection to a large number of species. The bird lovers of South Carolina, and especially the agriculturists, should insist that the law be improved at the next session of the legislature.

*Warden System.*—No wardens were employed by the Thayer Fund.

*Audubon Work.*—This Society is local and has not accomplished anything outside of its immediate neighborhood. An effort will be made by the National Committee during the coming year to enlarge and strengthen the nucleus already established. The A. O. U. members and all bird lovers are urged to aid this effort.

TEXAS.

*Legislation.*—An effort will be made to have the American Ornithologists' Union model law passed during the next session of the legislature, which convenes in January, 1903. While some of the song, insectivorous and sea birds are protected under the present law, many are not, and a large number of counties are exempted from the statute. The large agricultural interests of Texas imperatively demand that a comprehensive bird law shall be enacted at once and strictly enforced.

It is a pleasant duty to call attention to the very valuable work being done by the Southern Pacific R. R. Co., through its Industrial Agent, Prof. H. P. Attwater, who visits all portions of the Commonwealth to lecture to farmers' clubs and granges; this gives him an opportunity to call attention to the value of all bird life and thus create a sentiment in favor of its protection. The Thayer Fund has furnished a large number of leaflets regarding birds for distribution among the agriculturists and teachers of Texas.

*Warden System.*—It has not been deemed best to employ any wardens on the Texas coast until a satisfactory law is in force. If the next legislature enacts a good law wardens will be engaged for the breeding season of 1903.

*Audubon Work.*—There is no Society in Texas at the present time, but steps are being taken to organize one, and it is hoped that before the next report is made a large and aggressive society will be at work.

VERMONT.

*Legislation.*—While the present law is a very good one in its main features, it can be improved. An effort in that direction is now being made, the A. O. U. model law being before the legislature, which is now (November) in session.

*Warden System.*—No wardens were employed by the Thayer Fund.

*Audubon Work.*—A society has been established about a year, it having existed as a bird club for some time previous to organi-

zation as an Audubon Society. The enrolled members number 250. The local work done has been very satisfactory and its influence is spreading to other portions of the State, two branch societies having already been formed. They have succeeded in interesting the children to an unusual degree by junior meetings and bird walks. Two libraries of bird books are in circulation among the districts schools, and have stimulated interest in bird study.

#### VIRGINIA.

*Legislation.*—The bird laws of this State are wholly bad; very few non-game birds are protected at all, some are protected during a portion of the year, while that most destructive of all methods of bird extermination, eggging, is legalized by law during the early weeks of the breeding season.

The county system of local bird laws is in vogue, and it should be superseded at once by a law covering the whole State. Bird protection cannot successfully be promoted where the law protects a species in one county and in an adjoining county no protection is given. It is a well established legal proposition that wild birds are an asset of the State and do not belong to the citizen as an individual, therefore the State should provide a law for their protection and preservation, just as it does for any other of its valuable rights and assets.

The A. O. U. members and the Audubon Society, as well as all bird lovers, should combine in a strenuous effort to have the A. O. U. model law adopted. At the last session of the legislature a bill was introduced by Representative James R. Caton, at the request of the Virginia Audubon Society, but it was not carried through the House, although it was favorably reported and reached its third reading. The session was short, and was largely taken up with a constitutional amendment.

The effort for a new bird law will be renewed at the coming session of the legislature, and in the interim educational work will be done through the press and by the distribution of leaflets, in order that a public sentiment for bird protection may be aroused. If from every portion of the State the constituents of the delegates



write and urge, or even go so far as to demand a new law, the appeal will be listened to.

*Warden Work.*— On the Virginia coast some of the most important work attempted by your Committee is done through the Thayer Fund. The work, however, is very largely moral suasion rather than legal protection. The law is so thoroughly unsatisfactory that the wardens find it hard to give absolute protection during the early weeks of the breeding season. With all the drawbacks it is our pleasant duty to report that all of the sea bird colonies on the Virginia coast are making a steady gain. If the legal taking of eggs could be stopped, the gain would be much more rapid than it is now. It is now impossible for plume hunters to visit this coast and kill Terns and Laughing Gulls by the thousands, as they did only a few years since; if such an attempt were to be made the plumers would have to reckon with a very determined party of eight wardens, extracts from whose reports are herewith given.

Capt. J. M. Fedderman, of Assateague Beach, says: "Eggs are taken, but no one can estimate the number, as parties hunt for them at all times. From two boys I took 16 Marsh Hen's eggs and 6 Willet's eggs, which were replaced in the nests and were afterward hatched. On August 26 a party did some shooting, but on investigation I was unable to find any gulls or terns on them and therefore could not have them fined. There is a good harbor here for vessels, and the sailors give the most trouble looking for eggs; boys being the next most troublesome. Summer boarders rarely disturb eggs but shoot at anything that flies, merely for practice. Marsh Hens are much more numerous than four or five years back, and there has been some gain in the numbers of Willets. If means could be devised to stop the taking of eggs the increase in birds would be surprising."

Capt. J. B. Whealton, of Wallops Beach, says: "Most of the people in this vicinity are in favor of protecting birds, but there is a class of baymen that will take eggs, and sometimes kill breeding birds. They give more trouble than any other persons. Prior to two years since the gulls were almost all destroyed, but now there is a big increase; I should judge they have doubled in numbers, and there is also a marked increase in the Willet; more young Willets were seen in August than at any time in five years past."

Capt. L. F. Taylor, of Metomkin Inlet, says: "There has been a normal increase in the Laughing Gulls and Willets, but for some reason the Marsh Hens do not seem to be so numerous. The increase in Big and Little Strikers (Terns) seems to be larger than it was last season. Very few eggs have been taken in my locality; on only one occasion did I have to prevent egging by a party of two. They desisted at once when I cautioned them."

Capt. J. A. D. Savage, of Wachapreague Beach, says: "The Marsh Hens have made some increase, but the other species, viz., Black-headed Gulls, Flood Gulls, Willets, and Strikers have not increased materially. This can be accounted for as follows: the beach here is gradually washing away and getting lower, which compels the beach breeding birds to move to other localities where they can find higher beaches and where there is less danger from storm tides. I believe that fewer eggs have been taken this season than ever before, and I do not know of a single instance when birds were killed. Those who made a business of killing birds in former years have been forced to desist, knowing that they are watched and will be brought to account if caught."

Capt. J. W. Richardson, of Parramores Island, says: "It is not unlawful to take eggs during a part of the breeding season and many are taken each year; but I can see that since I have been acting as warden there are many more birds now than formerly, with the exception of the Willet and Marsh Hens, which are only holding their own. This is owing to the fact that they are slaughtered after the open season commences, which opens nearly a month too early. The law should be changed."

Capt. J. E. Johnson, of Hog Island, says: "Many eggs are taken during the open season, but by reason of the protection given the birds I can see that hundreds are raised each year; it is especially noticeable in the Black-headed Gulls, Terns and Willets. Marsh Hens do not seem to increase, owing, I think, to the high tides that destroy many of them."

Capt. J. R. Andrews, of Cobbs Island, says: "Large numbers of the eggs of the Black-headed Gulls were taken during the open season, also a few of the eggs of Terns and Skimmers. The men who rake for clams give me the most trouble, as they live in boats which are anchored very near the marshes where the gulls breed.

The egging is mostly done at night when it is impossible to catch the offender. This year I found a new colony of about 1,000 Skimmers on an island where they had not bred before; there were also about 500 Common Terns and 30 pairs of Wilson's Plover breeding on the same island. This must be an overflow from the colonies near the station."

Capt. G. D. Hitchens, of Smiths Island, says: "There is a great increase in the birds since they have been protected on Smiths Island and on the Isaacs, and the increase is greater this year than last." The coöperation of the Marine Hospital Service to prevent egging on Fishermans Island was asked by your Committee and was accorded by Surgeon General Wyman, who wrote as follows: "The Quarantine Officer reports that he believes it advisable to coöperate with your Union in its work, and to this end has directed his subordinates on Fishermans Island to desist from further gathering eggs thereon or in that vicinity."

The bird colonies on the Virginia beach were visited by a number of members of our Society during the past season and all unite in reporting that very satisfactory work is being done by the wardens. Mr. Kirkwood made his annual inspection trip in August to all the stations. A few statements are extracted from his very full report:

"Capt. N. B. Rich, who last year had charge of the Assateague Beach station, is now a superintendent of the life saving service. When sending out orders to the various captains he added a clause directing them to protect the birds all they could without interfering with their regular life saving duties, and they now feel that they can talk in quite a different tone from that used formerly. The wardens all agree that the law should be changed.

"The increase in the numbers of Least Terns is too great to be the result of colonies on this beach; some of them must have come from further north.

"I did not see any Royal Terns, so they probably have been exterminated, so far as Virginia is concerned. On the whole, birds were more numerous than last year, the increase being about normal, except in the case of the Least Tern, which is entirely beyond expectation."

*Audubon Work.*— There is a small society which is doing con-

siderable work in trying to get better legislation, in which effort all the Virginia members of the A. O. U. should join.

WASHINGTON.

*Legislation.* — The bird law is very limited in its scope and only protects song birds. An effort will be made at the next session of the legislature (January, 1903) to have the A. O. U. model law passed.

*Audubon Work.* — There is no Audubon Society in the State, and little has been done in bird protection work as yet.

An interesting incident regarding the tameness of sea gulls is related by Sergeant Albert I. Smith of Battery I, First Artillery, U. S. A.: "It may interest you to hear of an incident that was part of my daily pastime while stationed at Fort Canby, which is a lonely post, sticking up on the jagged coast cliffs. There were innumerable sea gulls inhabiting the rocks and during the rigorous winter months I noticed that the poor birds scarcely caught sufficient food from the stormy waters of the coast. I began by depositing among the rocks the collected remains from our mess table after each meal. The feathered indigents readily understood my purpose and gathered in vast numbers to partake of our soldier food. Soon they grew exceedingly tame and particularly alert for the bugle's mess call, the notes of which no doubt, were as welcome to them as to us. Round and round they would circle, screaming for joy, and when I appeared on the rocks with their food box they would flutter about me like gentle barn-yard poultry, scrambling over my body or alighting on my wrists to peck a morsel from my fingers."

The above story is vouched for by Mr. William H. Kobbé, who says: "The gull story is doubtless true. I have often seen the Battery cooks thus feed the birds, which became so tame as to become a nuisance, walking up and down the road and even into the kitchen. I can hardly believe that the birds could distinguish mess from any other call, but it is possible that all the calls during the middle of the day had the same effect upon them."

WISCONSIN.

*Legislation.* — The law is entirely satisfactory.

*Warden Work.* — No wardens were employed by the Thayer Fund.

*Audubon Work.* — Audubon work is going on actively and successfully, especially among the school children. The membership is now very nearly 18,000. The Society owns nearly 200 lantern slides of birds, 70 being colored, which are rented for a small sum to any school branch or local society desiring to use them. One circulating library of bird books is owned; there have been so many calls for it that the society hopes to add others in the near future. By the courtesy of the State Superintendent of Public Instruction the Arbor and Bird Day Manual for 1902 carried the invitation of the Audubon Society to each public school in the State to coöperate in the work of bird protection and to form a school branch. The success of these branches is almost entirely due to the intelligent assistance of the teachers, without which it would be impossible to carry on any organized work among the children of the Commonwealth. The Society publishes a small monthly magazine, devoted especially to bird subjects for children.

THE THAYER FUND.

The treasurer of the fund submits the following statement, showing the subscriptions and disbursements during the year ending November 1, 1902, to the correctness of which he certifies.

NEW YORK, NOV. 1, 1902.

WILLIAM DUTCHER, *Treasurer.*

## IN ACCOUNT WITH THAYER FUND.

Balance brought forward from 1901 \$301.60

## SUBSCRIPTIONS.

J. E. Thayer	\$250.00	Mrs. H. L. Higginson	\$10.00
S. B. Fay	200.00	S. McV. Hinton	10.00
C. L. Freer	100.00	Mrs. M. L. Parsons	10.00
Miss L. L. Kane	100.00	J. J. Donaldson	10.00
Mrs. Q. A. Shaw	50.00	W. G. Van Name	10.00
Mrs. V. E. Macy	50.00	L. H. Baird	10.00
C. H. Dodge	50.00	Miss Fanny Dwight	10.00
Mrs. D. Pickman	50.00	A. C. Gelpcke	10.00
W. E. Dodge	50.00	B. H. Christy	10.00
George Dorr	50.00	H. Herrick	10.00
George W. Vanderbilt	50.00	E. Bowditch	10.00
Florida Audubon Society	50.00	Mrs. W. A. Wardsworth	10.00
Charles H. Raymond	25.00	Mrs. E. Davis	10.00
C. P. Latimer	25.00	Mrs. T. M. Brewer	10.00
E. D. Sharpe	25.00	H. S. Baldwin	9.00
Mrs. J. S. Kennedy	25.00	L. J. Emery	5.00
E. L. Osgood	25.00	Mrs. H. Holt	5.00
Dean Sage	25.00	Rev. L. F. Chamberlain	5.00
H. S. Russell	25.00	Mrs. S. L. King	5.00
E. L. Parker	25.00	Elizabeth A. Gatter	5.00
F. J. Heckel	25.00	Harriet E. Clarke	5.00
S. G. Ward	25.00	H. H. White	5.00
J. Pinchott	25.00	M. L. Van Orden	5.00
W. Hunnewell	25.00	F. M. Day	5.00
G. Abbott	25.00	S. Brooks	5.00
Dr. H. C. Eno	25.00	Geo. C. Shattuck	5.00
S. D. Warren	25.00	Miss Cowper Lord	5.00
Anne Whitney	20.00	Miss Lord	5.00
W. B. Dickerman	20.00	Benj. Nicoll	5.00
Conn. Audubon Society	20.00	Adeline Willis	5.00
John Markoe	20.00	S. L. King	5.00
Wm. Brewster	19.62	Mrs. Theodore Thomas	5.00
Ruthven Deane	19.62	J. L. Cox	5.00
Mr. and Mrs. W. M. Smith	15.00	Mrs. W. Putnam	5.00
Royal, II. and Reg. C. Robbins	14.00	Mrs. C. Platt	5.00
Mrs. J. W. Elliot	15.00	Mrs. Brinton Cox	5.00
W. S. Rainsford	11.00	Mrs. S. S. Darrell	5.00
Cornelius B. Smith	10.00	A. B. Duncan	5.00
Adeline Manning	10.00	24 contributions from \$2.70 to	
Miss A. F. Brush	10.00	\$1.00 each	41.45
Miss Clara L. Crane	10.00		
			\$2246.29

EXPENDITURES.

*Arkansas.*

2 Bird Charts . . . . .	\$2.38	
Express . . . . .	.44	2.82
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*California.*

J. M. Willard, trav. expenses — investigation of colony of grebes, etc., at Tule Lake .	49.00	
Telegrams . . . . .	4.35	53.35
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*Colorado.*

2 Bird Charts . . . . .		2.38
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*Florida.*

2 Government coast charts showing bird keys . . . . .	.50	
Express . . . . .	2.15	
Mrs. F. E. B. Latham, trav. expenses visit- ing breeding colonies . . . . .	2.50	
Warning notices . . . . .	40.85	
Sec'y of State — 3 certified copies of law .	5.05	
Negative of birds on Pelican Island . . .	2.00	
J. O. Fries, survey of Pelican Island . . .	10.00	
“ “ expenses in the matter of pur- chase of Pelican Island . . . . .	25.00	
P. Kroegel, affidavits “ “ “ “ . . . . .	4.00	
4 Wardens, salaries . . . . .	250.00	
Telegrams and exchange . . . . .	1.41	343.46
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*Georgia.*

Bird books for Agric. Com. of Legislature .	7.20	
Telegrams to legislators . . . . .	3.55	
Printing circular letter to Hort. Societies .	1.50	12.25
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*Indiana.*

2 Bird Charts for Audubon Society . . . .	2.28	
Chairman, trav. expenses to Legislature . .	28.00	30.28
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*Iowa.*

2 Bird Charts for Schaller Audubon Society	2.38	
Slides for Iowa Audubon Society . . .	11.80	
Advertising in Des Moines 'Capital' . . .	2.55	16.73
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*Kentucky.*

Dr. T. S. Palmer, trav. exp. to Legislature	19.00	
Chairman, " " " . . .	30.35	
Warning notices . . . . .	34.50	
Certified copy of law . . . . .	1.03	
Express . . . . .	.70	
Telegrams . . . . .	5.23	90.81
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*Louisiana.*

Circular letters sent to Legislators . . .	13.60	
Typewritten copy of House Bill 132, A. O. U.		
Model Law . . . . .	5.00	
Chairman, trav. expenses to Legislature . .	135.89	
Certified copy of bird law . . . . .	3.75	
Telegrams . . . . .	6.36	164.60
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*Maine.*

11 Wardens, salaries . . . . .	294.40	
A. H. Norton, trav. expenses inspecting breeding colonies . . . . .	27.30	
H. L. Spinney, " " " . . . . .	3.50	325.20
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*Maryland.*

Warden, salary . . . . .	25.00	25.00
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*Massachusetts.*

Warning notices . . . . .	6.00	
1 Warden, salary . . . . .	30.00	
Express . . . . .	.95	
J. E. Howland, posting warning notices at Marthas Vineyard . . . . .	3.50	40.45
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*Nebraska.*

2 Bird Charts . . . . .	2.38	
Express on Leaflet No. 2 . . . . .	1.02	3.40
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*General Expenses of Committee.*

Printing . . . . .	220.30	
Advertising . . . . .	20.00	
Postage . . . . .	144.00	
2 Bird Charts for office . . . . .	2.18	
Letter cases . . . . .	2.00	
Clasp envelopes, sending out reports and pamphlets . . . . .	15.38	
Express . . . . .	7.45	
Telegrams and messenger . . . . .	1.59	
Sundries . . . . .	12.25	425.15
		<u>\$2102.52</u>
Balance forwarded to 1903 . . . . .		143.77
		<u>\$2246.29</u>

The above report and financial statement are

Respectfully submitted, for the Committee,

WILLIAM DUTCHER.

*New York City*, November 1, 1902.

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ENDOWMENT FUND FOR THE PROTECTION OF NORTH  
AMERICAN BIRDS.

Contributions, 1901 . . . . .	\$170.05
Contributions, 1902 . . . . .	51.88
Interest earned . . . . .	5.65

Total amount of Fund, November 1, 1902, \$227.58. Deposited in Free-  
stone Savings Bank of Portland, Connecticut, by direction of Council of  
American Ornithologists' Union, incorporated in 1888 at Washington,  
District of Columbia.

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FORM OF BEQUEST.

I do hereby give and bequeath to "The American Ornithologists'  
Union" of the City of Washington, District of Columbia, for the Endow-  
ment Fund for the Protection of North American Birds, ————  
dollars.

LIST OF COMMITTEES.

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WILLIAM DUTCHER, *Chairman*, 525 Manhattan Avenue, New York.  
ABBOTT H. THAYER, Monadnock, New Hampshire.  
JOHN M. SWAIN, Portland, Maine.  
RALPH HOFFMANN, Belmont, Mass.  
JAMES H. HILL, New London, Conn.  
WILLIAM L. BAILY, Ardmore, Pa.  
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MRS. LOUISE MCGOWN STEPHENSON, Helena, Arkansas.  
H. P. ATTWATER, Houston, Texas.  
A. W. ANTHONY, Portland, Oregon.

*Subcommittee on Laws.*

THEODORE S. PALMER, M. D., Washington, D. C.

A. O. U. COMMITTEE ON FOREIGN RELATIONS.

FRANK M. CHAPMAN, New York, N. Y.  
CHARLES W. RICHMOND, M. D., Washington, D. C.  
THEODORE S. PALMER, M. D., Washington, D. C.  
RUTHVEN DEANE, Chicago, Ills.  
WILLIAM DUTCHER, New York, N. Y.

NATIONAL COMMITTEE OF AUBUDON SOCIETIES.

WILLIAM DUTCHER, *Chairman*, 525 Manhattan Avenue, New York.

*Subcommittee on Relations with Millinery Trade.*

WITMER STONE, Philadelphia, Pa.  
FRANK M. CHAPMAN, New York, N. Y.  
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