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MONTANA  
FISH AND GAME

NOTES



VOL. I

JULY 1936

NO. 7



"PREVENT FIRES"

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HELP PREVENT FIRES

KEEP FORESTS GREEN

Here are six safe rules for Prevention of Fires in our Forests. Motorists are urged to see that they are enforced.

1. MATCHES- Be sure your match is out. Break it in two before you throw it away.
2. TOBACCO- Be certain that pipe ashes and cigar or cigarette stubs are dead before throwing them away. Never throw them into brush, leaves, or needles.
3. MAKING CAMP- Before building a fire scrape away all inflammable material from a spot five feet in diameter. Dig a hole in the center and in it build your camp fire. Keep it small. Never build a fire against trees, logs or near brush.
4. BREAKING CAMP- Never break camp until your fire is out - dead out.
5. BURNING BRUSH- Never burn slash or brush in windy weather or while there is the slightest danger that the fire will get away.
6. PUTTING OUT CAMP FIRES- Stir coals while soaking them with water. Turn small sticks and drench both sides. Wet ground around fire. If you can't get water, stir in earth and tread down until packed tight over and around fire. Be sure the last spark is dead.

# MONTANA FISH AND GAME NOTES

Paul Maclean, Editor

VOL I

JULY 1936

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This bulletin is edited monthly in the offices of the Montana Fish and Game Commission, Helena, Montana, and is published in the interest of sportsmen and conservationists and the field force and employees of the Department. Material used in the bulletin is privileged matter and may be re-printed if proper credit is given to this publication.

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## DROUTH RESPONSIBLE FOR CLOSING STATE TO UPLAND BIRD HUNTING

Realizing the grave situation to upland bird life occasioned by the drouth, the State Fish and Game Commission at its July meeting, with the exception of one county, closed the entire state to the hunting and shooting of native upland birds.

Action taken by the Commission followed petitions from 75 percent of the sportsmen in all the counties in Montana that the season be closed.

Drouth, which has wrecked the lands of farmers and stockmen in many parts of the state, was responsible for the stand taken by the Commission in protecting its upland birds.

The Commission closed the entire state to sage hen shooting and all of Montana, with the exception of Lincoln county, to other native upland birds. In Lincoln county

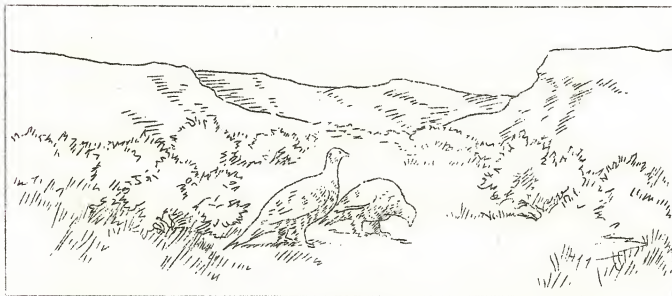
where there are only blue and ruffed grouse, there will be a five-day season, September 20th to 24th, both dates inclusive.

In taking this action, the Commission realized that it was stopping a favorite sport, but the members also were acquainted with actual conditions. There should not be a sportsman in the State to disagree with the adopted policy. Many letters have been received from all sections of the State commending the Commission for its honest effort to protect upland birds, forced into unnatural environment by the drouth.

At the instance of the Montana Fish and Game Commission, scientific tests are being conducted by the State College to determine what part native upland birds are taking in combating the drouth by their consumption of grasshoppers and crickets.

In closing the State to upland bird hunting the Commission also took into consideration the fact that the drouth is driving the birds in the stricken regions into small areas where feed is available, and where now they are concentrated and the easy prey for hunters.

Despite the fact that the closing of the upland bird season will mean a loss of thousands of dollars in revenue to the Department through the sale of hunting licenses, the Commission decided that the move was an emergency one and would ultimately result in the saving of thousands of dollars to the sportsmen of the State in conserving and



and protecting these birds victimized by the drouth.

While in some areas where only grouse are found in the mountains, the Commission took into consideration the dry condition of the forests and the great hazard of fire occasioned by an open hunting season. These past few weeks have shown the Commission's reasoning as true, with fires burning down many of the fine timber stands, the habitats of blue and ruffed grouse.

The Commission also looked forward to the coming winter, when the birds, weakened by insufficient food, would probably suffer more than normal losses.

In the Lincoln area, heavy stands of timber protect the grouse from substantial reductions from hunters, and because of that fact the county was allowed a five-day open season on upland birds.

#### -MORE COMMISSION DOINGS-

Leo L. Laythe, Regional Director, Bureau of Biological Survey, Denver, and R. E. Bateman, District Agent, Bureau of Biological Survey, Billings, appeared before the Commission relative to the development of migratory bird refuges in Montana. Mr. Laythe said the Bureau was desirous of working in harmony with the Commission in rebuilding the duck population. He was informed by the Commission that the Enabling Act, giving to the Bureau the right to acquire lands and water in Montana for refuges, would be given every support at the next session of the Legislature.

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Because of drouth conditions, antelope in the Square Butte district are causing considerable damage to crops, W. P. Sullivan notified the Commission. On the motion of Commissioner Keil it was decided to employ a reliable man for a 30-day period or until the harvest work is completed, to keep the antelope off the crops and out of the fields in that territory. The matter of declaring an open season on buck antelope in Chouteau county will be considered at a later meeting.

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Because of existing conditions in Montana, it was decided to recommend to Ira N. Gabrielson, Chief of the Bureau of Biological Survey, that the migratory bird

season in Montana be between October 1 and November 1, rather than between September 20 to October 20, or September 25 to October 25.

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State Fish and Game Warden Kenneth MacDonald was instructed to place an order with R. M. Holmes, Molalla, Oregon, for 200 Chukar partridge eggs for delivery the first part of May.

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At the request of the Midland Empire fair, it was decided to send an exhibit of fish and birds for the exposition. Elmer G. Phillips, Superintendent of Fisheries, was instructed to make all arrangements and preparations for a display of fish, and J. F. Hendricks, Superintendent of the Game Farm, was told to furnish a suitable display of birds.

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Evidence that the Department's self-designed pump tank truck for transporting live fish for long distances is highly successful, was shown in a letter received by the Commission from Alvin Seale, Superintendent of the Golden Park aquarium, San Francisco, California. It read:

"This is a letter of appreciation - not only to the Montana Fish and Game Commission but to Elmer G. Phillips and his assistant, who were the two men who actually put over the remarkable fine bit of fishery work which I doubt has ever been equaled.

"These two men left Anaconda June 20, in the Ford tank truck and arrived at the aquarium in Golden Gate Park, San Francisco, at 4p. m., June 21, with the following large adult fish alive and in good condition: 10 Yellowstone trout, eight Dolly Varden, and 26 Montana grayling.

"This is a record and I hope you feel just as proud of these two boys as I do."

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Once again the Commission turned thumbs down on several requests for the return of confiscated articles in game law violations. Sportsmen lending fishing or hunting equipment to others, should be certain beforehand that no

game laws will be violated by the person or persons using the borrowed paraphernalia.

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Twenty-five pair of sago hens will be liberated in the territory between Ovando and Helmville, and a like number on Cedar creek in the Glendive territory, it was decided. These birds will be received from Wyoming in exchange for Hungarian partridges.

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State Fish and Game Warden MacDonald was authorized to have printed 10,000 pamphlets containing a synopsis of the fishing and hunting regulations of Montana for distribution, particularly at the ports of entry in the state where the Highway Commission operates its traffic stations.

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On the motion of Commissioner J. J. Harpor, State Fish and Game Warden MacDonald was authorized to represent the Commission at the Indian council meeting to be held in the near future, relative to the controversy over the charging of whitomen for fishing privileges on the Flathead Indian reservation.

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On August 10, the Commission will hold its regular monthly meeting in Rod Lodge.

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#### MONTANA LAUDED BY PENNSYLVANIA

#### FOR POLICY ON ITS BEAR

Although a few Montana sportsmen have voiced disapproval of the State Fish and Game Commission's action in providing a closed season on bear from May 15 to October 14, the Commissioners have been commended for the move by Nicholas Biddle of the Board of Game Commissioners of Pennsylvania.

In a letter to the State Fish and Game Commission, Mr. Biddle states that the value of the bear as a game

animal was recognized in Pennsylvania more than 30 years ago, a closed season from March 1 to October 1 being placed on bears in 1905.



Bears decreased in that State to such an extent however, there being no limit on the number that could be killed during the open season, that in 1909, the closed season was extended from January 1 to October 1.

Pointing out that the bear population continued decreasing at an alarming rate, Mr. Biddle explains that in 1915, the State Commission limited the licensed hunter to one bear per season, and established the open season from October 15 to December 15.

Still unable to protect the bear to the point where the annual kill would not be more than the increase, the Commission inaugurated various changes in the bear season during the following years until in 1931, the open season was from November 10 to December 15, with each licensed hunter allowed to take one animal, and only three allowed to each camp.

Due to a great scarcity of the much sought after bear, the season was closed entirely in 1934, but was opened on December 5, 6 and 7 in 1935, with a limit of one bear to each camp. Despite such rigid regulations and the short season, more than 450 bears were killed during the three days, Mr. Biddle states.

There was some question as to whether the season would be opened at all this year, but the Commission finally decided to open the season from November 23 to 26, inclusive, limiting the kill to one bear per hunter or camp.

During the last few years in Pennsylvania, he states, there has arisen much controversy against having the open season for bear during the open deer season, December 1 to 15, when thousands of hunters are in the woods. For this reason, the Commission decided to terminate the bear season this year before the opening of the deer season.

In closing, Mr. Biddle states, "It has always been the aim of our Commission to afford the licensed hunter



an opportunity to hunt bear and at the same time provide for the continued existence of this great animal in Pennsylvania.

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### TOO MUCH .....LENIENCY

In order to bring to the attention of the public the actual picture of the disposition of Montana game law violations, the State Fish and Game Commission in August will commence publishing a monthly list showing cases in the justice court, giving details of the violations and the names of the justices of peace involved, Kenneth MacDonald, State Fish and Game Warden, has announced.

With enforcement of Montana's fish and game laws entailing a yearly expenditure of \$70,000, the Fish and Game Department is concerned with what apparently is too much leniency on the part of presiding justices of the peace in handling game law violation cases.

Faced with the task of conserving and maintaining game life in Montana, the Department has taken the position that some responsibility should be placed on the Justice Courts; their duties being plainly defined by law.

State Game Warden MacDonald pointed out that a minimum and maximum sentence for game law violations are prescribed, yet hundreds of violation cases carelessly drift through the Justice Courts.

The State Fish and Game Commission requires its Deputy Game Wardens to fulfill their duties despite personal feelings. A survey made of Justice Court cases over a period of several years discloses that about the first thing a Justice of the Peace looks for is an extenuating circumstance.

Sportsmen over the State are aroused over the "easy-cure" of the Justice Courts. These sportsmen pay, in the form of hunting and fishing licenses, each year, approximately \$90,000 for the privilege to hunt and to fish and to see that streams and forests are protected so that game propagation work can be carried on successfully.

Beginning next month, this magazine will print and all Montana sportsmen advised of the actual facts.

Montana's fish and game are too valuable to sportsmen and to the State as a whole that laws protecting such valuable resources should be treated lightly.

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### FISHING SEASON BRINGS ON INCREASE IN VIOLATIONS

There were 44 arrests made in June for game law violations, five more than in May, according to the monthly compilation made by J. H. Chartrand, Chief Deputy Game Warden.

Fishing without a license proved the greatest offense and 21 were taken into custody for this violation.

The fishing season also accounted for a number of other violations. Three were arrested for being in possession of more than the legal limit of game fish. Two were arrested for fishing with set lines. There were two non-residents apprehended while fishing with resident licenses.

Seven were placed in custody for fishing in closed waters, while two were caught in possession of more than the legal number of under-sized fish. Two were arrested fishing with more than one rod and line.

Other violations were: Alien in possession of fire arms, one; shipping beaver skins without a permit, one; altering a license, one; and Alien making false statement in securing a license, two.

Arrests were made by the following deputies and (other law enforcement officers):

Elmer DeGoller, Wm. J. Dorrington, W. A. Hill, Allen T. Holmes, Wm. Ray Kohls, E. M. Arost, J. P. McCaffery, Fred E. Pilling, Chas. R. Prico, E. C. Sailor, Frank Starina, J. A. Weaver, Carl Benson, Louis Miller, Harry Morgan, George Muxlow and Dale Shook - Kenneth F. Roahen, U. S. Game Management Agent, G. E. Duvendack, Forest Ranger and Arthur J. Kramis, Forest Ranger.

Disposition of the cases in the Justice Courts took place as follows:

- One - Fishing without a license  
Fined \$27.50 or 30 days.
- One - Possession of more than the legal limit of game fish  
Fined \$27.50 - paid.
- Five - Fishing in closed waters  
Fined \$25.00 each - \$12.50 remitted.
- One - Charged with altering Class BB license by changing  
date. Fined \$28.00 - paid.
- One - Fishing without a license  
Sentenced to 10 days in jail, suspended on payment  
of Court costs.
- Two - Fishing without a license  
Bought license for 1936 and paid court costs.
- Three- Fishing without a license  
Fined \$27.50 - paid.
- Two - Fishing without a license  
Sentenced to 12½ days in jail.
- Two - Alien making false statement in securing license  
Fined Court costs and license revoked.
- One - Having over limit of small game fish in possession  
Fined \$27.50 - paid.
- Two - Fishing with more than one pole and line  
Fined \$25.00 - paid.
- One - Fishing in closed waters  
Fined \$27.50 - paid.
- One - Fishing without a license  
Fined \$25.00 and suspended.
- One - Shipping beaver skins without a permit  
Fined \$25.00 - to be paid in 30 days.
- One - Fishing without a license  
Fined \$27.50 and 60 days suspended if paid in  
15 days.
- One - Fishing in a closed stream  
Fined \$25.00 - paid \$12.50 and given time on balance.
- One - Fishing without a license  
Pleaded not guilty - trial set for July 6, 1936.
- One - Having in excess of legal number of small fish  
Fined \$25.00 - paid \$20.00 - Suspended \$5.00.
- One - Non Resident using Resident license  
Fined \$25.00 and court cost \$3.00 - paid.
- One - Fishing without a license  
Case dismissed.
- Three- Fishing without a license  
Sentenced 10 days - suspended sentence providing  
they buy license and pay Court costs.
- Two - Possession of game fish in excess of legal limit  
Fined \$27.50 - Bond forfeited by defendants.
- Two - Fishing with a set line  
Fined \$27.50 and 30 days suspended upon payment  
of fine.
- One - Fishing without a license  
Fined \$27.50 - remitted \$25.00

- One - Alien in possession of firearms  
Fined \$27.50 - paid.
- One - Non-resident fishing with Resident license  
Fined \$27.50 - paid.
- Three- Fishing without a license  
Fined \$25.00 - each given until January 1, 1937  
to pay.
- One - Fishing without a license  
Fined \$25.00 or 12½ days in jail.

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GAME LIFE AS WELL AS RANGES  
WOULD BENEFIT BY PROJECT

Drouth has brought to the attention of the Montana Fish and Game Commission the necessity of initiating a program of developing water areas in Eastern Montana and elsewhere by reserving portions of reservoirs for the planting of grasses and shrubs.

Earl in July the State Fish and Game Department submitted to the WPA a proposal of this nature. In those segregated portions of water reservoirs where grasses and shrubs would be planted, the vegetation would provide feed and cover for the game birds which all agree are a very vital factor in the control of insects. These insects, in conjunction with the drouth, are causing part of the serious damage to crops this year.

Governor Elmer Holt, when informed of the Fish and Game Commission's proposal, said that he would exert every effort with the Works Progress Administration, to inaugurate the project.

In the letter to the WPA early in July, State Fish and Game Warden MacDonald said in part:

"It is our thought that through reserving an area around these basins, except that required for the stock to get to water, for the planting of grasses and shrubs, the value of the reservoir or water hole would be materially increased.

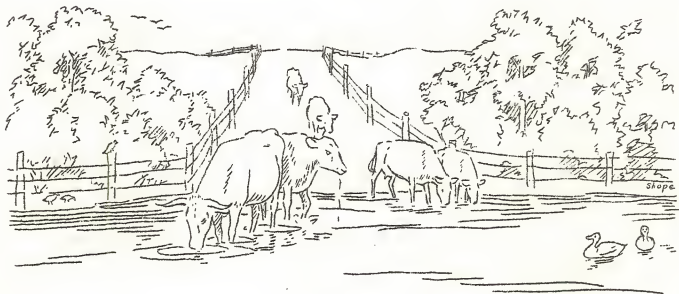
"There is no question but what a growth of vegetation around the water's edge would retard the rate of evaporation and in the winter time, serve to collect snow which would be held and contribute to the filling of the basin

the following spring. The reserved areas could be utilized for the planting of range grasses and in a comparatively short time contribute toward re-seeding the damaged ranges."

Reservoirs of considerable size which would require a large amount of fencing could be fairly well developed through fencing small areas adjacent to the water rather than the entire area.

The Fish and Game Commission is unable to contribute much to this enterprise aside from the planting of the vegetation - this the Department could possibly help with next spring when it is planned to plant Caragana and other suitable shrubbery in many sections of the state as feed and cover for the game birds in the winter months.

With Governor Holt's assurance that he will bring the matter forcibly before the authorities of the WPA, sportsmen of the state may be reasonably certain that some action is forthcoming on this important project.



## FISHING.....LOGS

For the first time in the history of the Montana Fish and Game Commission, first hand information is being collected and distributed to tourists motoring through the State.

Each week the 26 Deputy Game Wardens in various parts of the State send in detailed information concerning fishing in their respective localities. This information is compiled by the State Fish and Game Department and given over to the Montana Highway Commission.

The Highway Commission dispatches the "fishing log" to its traffic men, located at the nineports of entry stations on the main highways leading into Montana. The young men at the stations immediately familiarize themselves with its contents to advise tourists where the best fishing may be found.

These well-trained attendants are as well versed on fishing conditions within the State as they are on highway matters or of general information requested by tourists and vacationists.

The "fishing log" which they receive contains a list of the principal rivers, lakes and streams, the species of fish to be found in each, the condition of the water, and whether or not the fishing is "Good", "Fair", or "Poor."

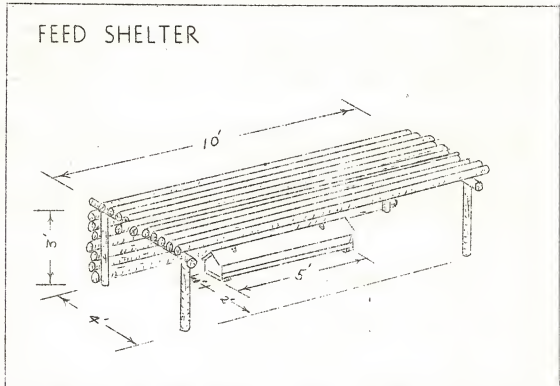
In initiating this project, the Fish and Game Commission, is falling in line with the general policy of advertising Montana's great recreational features to the rest of the world. While it will result, to some extent, in lessening the fish population, the Department's program of roaring and planting will more than compensate the depopulation.

This "fishing log", compiled by the Department from information furnished by the 26 Deputy Game Wardens over the State, also is sent to newspapers and to agencies catering to the traveling public.

## BIRD SUPERINTENDENT DESIGNS

### SHELTERS FOR HARD WINTERS

Remembering the strenuous experience of last winter when a late, prolonged blizzard descended upon Montana's upland birds and left many starving in drifting snow, J. F. Hendricks, Superintendent of the State Game Farm at Warm Springs, has designed forms of shelters and self feeders to offset such difficulties in the future and safeguard against loss of bird life.



Due to the last severe winter, the fish and game commission this year will instruct its deputy game wardens to install shelters for birds in their districts with self feeders, so that when the roads become hard to travel, sportsmen will not be required to go daily into the fields to ascertain how the birds are getting along.

With this in mind, Superintendent Hendricks has designed forms of shelters and feeders which will take care of the situation, ease the responsibility on the part of sportsmen, and protect bird life from the ravages of a hard winter.

The Commission will see that the situation is handled, as far as possible, by the Deputy Game Warden in each dis-

trict. The Deputy will take the question up with sportsmen and co-operate with sportsmen's clubs in setting them up in the necessary areas. Assistance, naturally, will be required.

Superintendent Hendricks pointed out that the back of the shelter can be closed with brush or bundles of grain. The top also can be fixed in the same way. He recommended as a good cover corn stocks or fir boughs. He warned against enclosing the sides as this would make a trap for vermin to capture the birds.

The feeder should be placed in the center of the shelter to protect it from the storms. When the grain is placed in the feeder about 5 percent of grit should be added and a small amount of charcoal, the Superintendent said.

The shelter and feeder may be made any size, depending upon the number of birds in the district. The Deputy Game Warden in charge will decide upon the size.

Superintendent Hendricks is considered one of the best informed bird men in the west and his knowledge of the habits of game birds is highly regarded.

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#### AUCTION SALE TO BE

HELD IN AUGUST

During the latter part of August, the Department will hold its annual auction sale of confiscated hunting and fishing equipment.

Dates of the sale will be announced later. The fall sale will be one of the largest in the history of the Department and will be featured by a large number of exceptionally fine guns.



BEARTOOTH PLATEAU ONE OF FINEST  
FISHING AREAS IN THE WEST

by

Elmer G. Phillips, Fisheries Superintendent

Note: This is a second of a series of articles prepared by Superintendent Phillips on the outstanding fishing and scenic areas of the State.

The Beartooth plateau region which lies in the counties of Carbon, Stillwater and Park, and extends across the Montana line into Wyoming, presents to the recreationist and fishermen one of the ideal territories in the west.

Access to a portion of this region has been gained by the construction of the Red Lodge - Cooke City highway, which in itself is one of the most spectacular road building achievements ever undertaken. It offers to the motorist such scenery and rugged grandeur that it is travelled with a feeling of awe and exhilaration and a vow to return again at the first opportunity.

This highway, in its climb to dizzy heights, wends its way around many of the emerald lakes for which this territory is so famous and wherein are found some of the finest specimens of trout in Montana waters.

It is a region situated at such a high altitude that many of its lakes remain covered with ice and snow far into the summer months. This great natural refrigeration system of Mother Nature maintains the temperatures of these lakes and streams at a very low mark and the trout which roam the waters are hard and firm and offer to the ravenous appetites of fishermen a feast worthy of a King's ransom.

Much of this region lies far off the highway and is seldom invaded by man, and then only by the most hardy. In its waters can be found Native, Rainbow, and Eastern Brook trout.

One of the lakes in this region contains the famous California Golden trout, a specie which promises to give a good account of itself due to its adaptability to high altitudes. It is a trout of rich coloring, firm flesh

and worthy of a place in any fisherman's creel.

At the present time this lake is closed to all fishing until May 20, 1939, which will give this specie ample opportunity to attain a satisfactory size.

All watersheds in this wonderful region are tributary to the Clark's Fork or the Yellowstone river and it is a tumultuous journey that those waters undergo dropping from altitudes of more than 12,000 feet to the Yellowstone river far below.

Montana's highest point, called Granite Peak, is situated in this region and roars its snow-covered slopes to an elevation of 12,849 feet above sea level.

If you are inclined to roam rugged peaks where lie glistening snow fields, cast a fly on sparkling ice-cold lakes and rushing streams, this is the region which you have been seeking and where wild, unleashed splendour will hold you in its enchantment the entire summer, beckoning you to fish in a different lake each day - and at the end of the season there will still be a few left over to start with the following year.





