

TWELFTH BIENNIAL REPORT

OF THE

FISH COMMISSION

OF THE

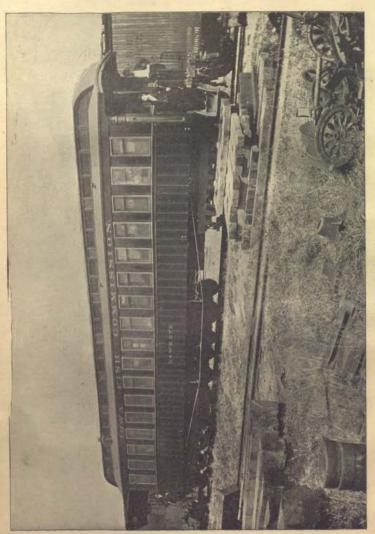
STATE OF IOWA.

1896 - 1897.

GEO. E. DELAVAN, COMMISSIONER.

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DES MOINES: F. S. CONAWAY, STATE PRINTES. 1897.



REPORT.

To His Excellency, F. M. Drake, Governor of Iowa:

DEAR SIR—I have the honor to submit herewith the twelfth biennial report of the Iowa Fish Commission for the years 1896-7.

The work of this commission has been attended with signal success in enforcement of law and restocking of the public and private waters of the state. Many ponds, reservoirs and artificial lakes have been constructed and a draught for fish for stocking purposes has been made on this commission that was never before equaled. Especially was this the case last spring when continued rains quite generally filled ponds and lakes that had dried up during the drouth, causing the destruction of thousands of fish that the owners desired to have replaced immediately. Owing to the unusual demands for fish the commission has not been able to fill all the applications made. That fish culture in Iowa is increasing is proven by the many orders for fish received.

SENTIMENT IN FAVOR OF THE LAW.

It is with pleasure that we note an increasing sentiment in favor of our fish and game laws. In a certain community where, a few years ago, au officer's life would have been placed in jeopardy upon making an arrest, I recently arrested and convicted several poachers, and to my surprise the business men of the city approved of the proceedings and remarked that they hoped the good work would be continued until every poacher was driven out of business, that our streams might be filled as they once were with food fish for all. What is true of this locality is also true in many others.

A GOOD LAW.

A very commendable law passed by the Twenty-sixth General Assembly was the one providing for the abolishment of the winter fish house. This has resulted in much good, as winter fishing, without the spears, snares, and grab hooks usually hidden about these houses, has been reduced to the minimum. The newly revised fish and game law, going into effect the 1st of October, 1897, meets with the approval of all honest sportsmen, while the unscrupulous poacher sees in its wise restrictions less opportunity for despoiling and depleting. While the penalties for infractions are severe, they are no more so than they should be if the state's valuable fish and game interests are to be preserved for any length of time.

ARRESTS AND CONVICTIONS.

Since my last report I have caused the arrest and conviction of between five and six hundred poachers, whose fines amounted to \$6,458. As these fines are converted to the school funds in the localities where the prosecutions occurred, it will be seen at once that the educational interests there have received quite a marked impetus. I beg to call your attention to the fact that the above amount is larger by \$458 than the entire appropriation by the legislature for the fish commission for the biennial period. Under the new law I hope for still better results, as convictions will not be so difficult, and the appointment of deputies authorized by the legislature will be of valuable assistance.

DEPUTIES SHOULD RECEIVE PAY.

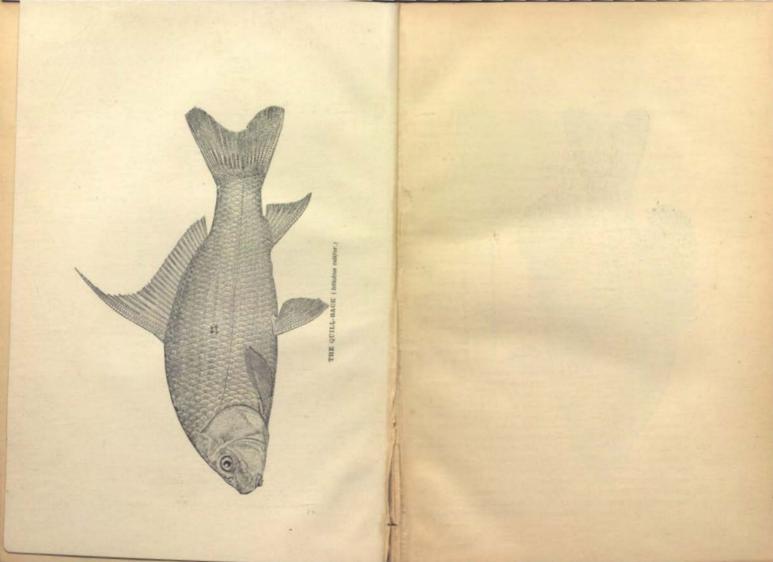
The principal hindrance in securing good men to act as county wardens is the question of pay. While the law authorizes the appointment of these deputies by the fish and game warden, no provision is made for their compensation save the small amounts they can secure as informants. These men should receive reasonable pay for the time and labor given the state.

COMPARATIVE APPROPRIATIONS.

By way of comparison I desire to call your attention to the appropriations made by other states for their fish and game interests, giving the area of square miles in each instance:

Iowa, 55,475 square miles, appropriation \$6,000 for the biennial period.

Michigan, 58,915 square miles, appropriates \$27,483 for fish alone. A salaried game warden with ten deputies is employed and several thousand dollars are paid annually to county wardens.





Maine, with only 33,040 square miles, appropriates \$25,000, and the fish commission says the amount is not enough to meet the increasing demands.

Massachusetts, area 8,315 square miles, appropriates \$14,000 annually.

New Hampshire, area 9,305 square miles. Appropriation unlimited, bills approved by the governor.

Connecticut, with only 4,990 square miles (less than one eleventh the area of Iowa), appropriates \$9,000 for fish culture,

and gives her counties power to appoint and pay game wardens. New York, area 49,170 square miles (6,305 less than Iowa),

ppropriates \$157,000 for fish and game interests.

Minnesota, area 79,205 square miles, appropriates \$30,000.

Pennsylvania, area 45,212 square miles, gives \$40,000.

Illinois, area 56,000 square miles, gives \$10,000 for the propagation of fish.

Colorado, area 103,645 square miles, appropriates \$21,000 for fish culture.

California, area 155,980 square miles, gives her fish commission \$17,500.

Missouri, area 68,785 square miles, with only six lakes, appropriates \$15,000.

Nebraska, area 76,185 square miles (with only eleven lakes while Iowa has eighty-seven), appropriates \$9,950 for fish culture. Six of Nebraska's lakes are in one county.

Vermont, with an area of only 9,136 square miles and ten lakes, appropriates \$9,500.

Wisconsin, our neighbor on the east with an area of 54,450 square miles (1,025 less than Iowa) appropriates \$24,800.

The other states are making liberal appropriations for the maintenance of their fish and game interests, and it is to be regretted that Iowa, the banner state in a great many other respects, should in this important one occupy a place at the foot of the column. In concluding this topic we desire to add that only a few of the states above referred to, with large appropriations, have more favorable conditions for the propagation of fish than Iowa. The people of these states appreciate the value of these interests as a source of food supply to such a degree that their legislatures are gradually increasing their appropriations. The value of the products is estimated by the amount appropriated. As an evidence how these interests are appreciated in Wisconsin, we quote from a letter in which the rommissioner of fisheries of that state says:

We have an annual appropriation of \$12,000; then, if we want funds for any extra work or for permanent improvements, we sak for them. During the session of 1890, we asked for \$5,000 for a new building, and there were only seven votes against it. During the last session, we asked for \$5,000 for a fish car, and the vote was unanimous. Eighteen hundred dollars per year is also voted for the fish and game warden and his expenses. There is also a contingent fund of \$1,500 to pay special deputy wardens. The total expenditures for fish culture and fish and game protection will average about \$21,000 annually. The fish commission will ask for a special appropriation of \$10,000 this winter.

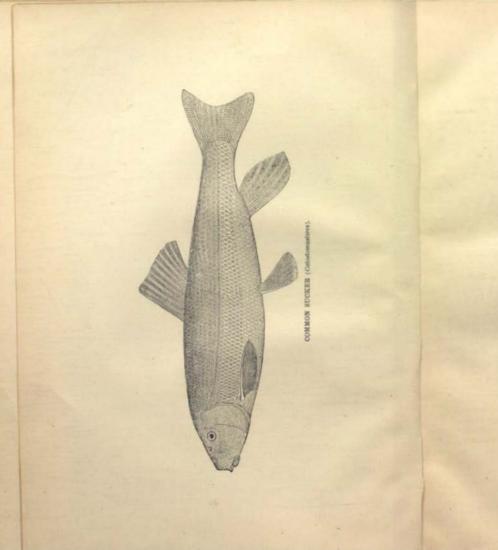
FISHWAY CASE IN THE SUPREME COURT.

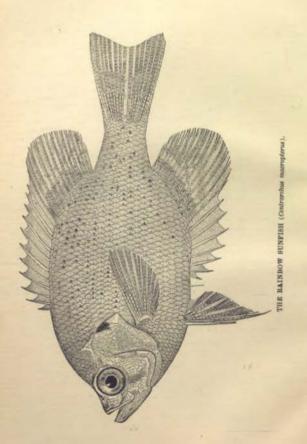
Last year a suit was brought against William Beardsley, of Oskaloosa, in the district court of Makaska county, Hon. A. R. Dewey, Judge, to compel Beardsley to provide his dam across the Skunk river with a fishway. The statute under which this case was brought is found in McClain's code, sections 2316 and 2317, which read as follows:

SECTION 2316. That the owner or owners of any dam or obstruction across any river or stream, creek, pond, lake, or water course, in this state, shall, within a reasonable time, erect, construct, and maintain over or across said dam or obstruction, a suitable fishway of suitable capacity and facility to afford a free passage for fish up and down through such water course when the water of said stream is running over the said dam.

SEC. 2317. Any dam or obstruction mentioned in section 1 of this act, not provided with such fishway within a reasonable time after the taking effect of this act, is hereby declared a nuisance and may be abated accordingly.

The court found for the defendant, and as the case is a very important one, embracing, as it does, the entire fishing interests of thousands of miles of valuable water of the state that should be open for the propagation of fish, I appealed the case to the supreme court. This suit is one that not only interests every mill-owner in the state, but every lover of fish as well. We believe that the higher court will decide in this case, as has been done in similar cases in other states, that the thousands of people residing along Iowa's streams should not, by the act of a few individuals, be deprived of this most valuable article of food. As has been said, "the owners of the land along which these streams flow have the burden of the rivers upon them; they run over their soil, overflow their lands, and create a large burden, and all the advantages of the streams for food supply for the inhabitants along their banks is cut off by a few citizens erecting dams near the mouths of the streams." It is plainly an infringement upon the rights of others that should be abated,





and we think will be as soon as the case comes before the supreme court. This is the first fishway case to be taken to the higher court in Iowa, and its outcome will be eagerly looked for.

OKOBOJI DAM.

By an act of the Twenty-sixth General Assembly, declaring the Okoboji lakes to be public navigable waters, the fish commissioner was authorized to build a dam at the outlet of East Okoboji for the purpose of preventing the escape of water from both lakes. There are two flouring mills located at Milford, below the dam. The proprietors of one of these mills secured a temporary injunction from Judge Lot Thomas, stopping the work when the dam was about half completed. The hearing on the injunction came before Judge Wm. B. Quarton at Algona, where able counsel for the state succeeded in securing a dissolution of the injunction, when the work on the dam was speedily pushed to completion. The dam has retained at least two to two and a half feet more water in the Okobojis this season than there otherwise would have been. It seems, however, that litigation over the dam is not yet at an end. The owner of the second mill at Milford has commenced another suit against the state for the removal of the obstruction. The case comes on for trial at the next term of the district court in Dickinson county. The dam is 279 feet long, about five feet high and five feet wide. Sixty feet in the center is built of stone and cement, and the wing on each end of earth and stone. Above and below the cement wall large stones, in generous quantities, have been placed to break the force of the water. The dam will never go out if malicious hands do not interfere with it.

CANAL BETWEEN SPIRIT AND LITTLE SPIRIT LAKES.

Combined in the act of the legislature, authorizing the erection of the dam, was one directing the fish commissioner to build a passageway between Spirit and Little Spirit lakes that the fish in the larger lake might pass into the smaller one at the spawning season to deposit their product in the moss and weeds in safety. This work has been done, and the result has not only been beneficial in allowing the large fish to use the smaller lake as a spawning-bed, but millions of young game fish have thus been afforded an opportunity to get into the larger lake by way of the canal, which is about 500 feet long, from six to thirteen feet deep, and from six or seven feet wide at the bottom to twenty at the top. The canal having been dug under a

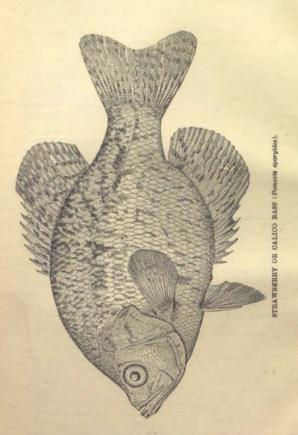
public highway it was necessary for the state to build a bridge over the same, which was done in a substantial manner. The expense of building the dam, the canal, and the bridge, was kept within the appropriation of \$1,000.

COURT EXPENSES.

The expenses of the first suit brought against the state for the removal of the dam were paid from the amount appropriated for the fish commission, which were about \$200. At that time there were no other funds available. Arrangements have since been made with the executive council whereby the attorney-general will have charge of the case now pending.

CAR PURCHASED.

Ever since the creation of the Iowa fish commission efforts have been made by each succeeding commissioner to secure a special appropriation of five or six thousand dollars for the purpose of purchasing a car in which, not only to ship the product of the Spirit Lake hatchery, but for the transporting of millions of young fish from the bayous of the Mississippi river to the inland waters of the state. Sufficient pressure could not be brought to bear on the legislature to accomplish the end desired. Deeming such a car very essential to the work of the commission in supplying food fish for the people, your commissioner has labored arduously to procure one, and it is with no small amount of pride that we are able to report that the state of Iowa now owns as good a fish-car as any of her neighbor states, and the payment therefor comes from the amount appropriated for this commission-not one dollar being asked for outside of the regular appropriation. A picture of the car is shown here. The car is sixty feet long, has twelve wheels. is fitted up with twenty tanks, office, berths, kitchen, closets, etc. The purchase was made from D. W. Walker, excursion agent of the Chicago, Milwaukee & St. Paul Railway company. The entire cost of the car, including all equipments since added, was \$1,600. The Chicago, Milwaukee & St. Paul, Burlington, Cedar Rapids & Northern, Illinois Central, and Chicago Great Western Railway companies have very generously consented to move the car over their many lines in the state free of cost to the commission. The commissioner has made fourteen trips with the car so far this fall, and successfully transported 1,635,-000 fish from the Mississippi bayous to the interior rivers and lakes of the state.



SUPPLY POND.

It being necessary to have a supply pond at some point on the Mississippi where the young fish taken by the commission from the bayous and sloughs could be kept while awaiting shipment, one was located at Sabula, where the city council went to the expense of purchasing a suitable lot adjacent to the depot and supplying the pond with water, free of cost, from the city water works. The state has generously been given a lease of the lot, free of charge, and can hold the same as long as the lot is used for the purpose designed. The pond is 100 feet by 30.

THE NEW GAME LAW.

The new fish and game law provides for the appointment of deputies by the fish and game warden. It is doubtful whether these deputies will be willing to serve in this capacity free of expense to the state, and incur the enmity of the poachers in their respective localities. Not only does this measure of necessity call for an increased appropriation, but the doubling of the work of the commission by adding to it the greatly enlarged duties laid upon it under the new law will, it is scarcely necessary to suggest, require additional means for the proper and effective carrying out of the intention of the legislature.

THE SLOUGHS AND BAYOUS OF ALL THE STATE'S BOUNDARY RIVERS COME WITHIN THE JURISDICTION OF THE IOWA FISH LAW.

By a decision of the Iowa supreme court, in October, 1895, all the sloughs and bayous on the Iowa shores of the Mississippi, Missouri, Big Sioux and Des Moines rivers, come within the jurisdiction of the Iowa fish laws. This important case being decided at the time the last report of this commission was in the hands of the printer, allusion to it could not be made. It is now published in the interest of all the people, but more especially for the benefit of those residing in the cities and towns located on these rivers, and from such localities the commission has received numerous requests for copies of the same. It reads as follows:

STATE V. HAUG.

(Supreme Court of Iowa. Oct. 3, 1895.)
ILLEGAL FISHING—EXCEPTED WATERS.

In acts Twenty-third General Assembly, chapter 34, prohibiting the taking of fish by certain methods from "any of the waters of the state," provided that "nothing herein contained shall be held to apply to fishing in the Mississippi, the Missouri, or the Big Sioux rivers, nor so much of the Des Moines river as forms the boundary between the states of Missouri and Iowa," the Mississippi river includes only the water popularly so known, constituting the boundary of the state, and does not include a lake wholly within the state, and constituting no part of the Mississippi, for purposes of navigation or boundary, but being merely connected with it, and in every other respect being as distinct a body of water as any in the interior of the state.

Appeal from district court, Allamakee county, W. A. Hoyt, Judge.

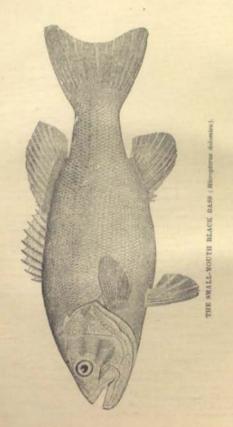
The defendant was charged with unlawfully seining fish. He was tried before the mayor of the city of Lansing and convicted. He appealed to the district court of Allamakee county. In said court he was found not guilty. The state appeals. Reversed.

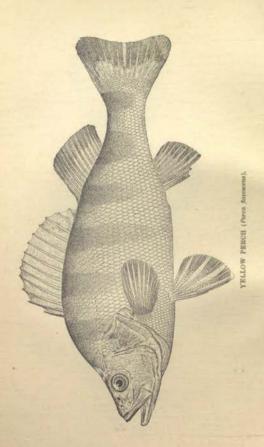
Milton Remley, Attorney-General, E. M. Woodward, County Attorney, J. H. Trewin, and J. P. Conway, for the State; Park & Odell for Appellee.

Kinne, J.—I. It is not disputed that the defendant in December, 1893, caught several thousand pounds of fish—sunfish, pike, bass and pickerel—with a seine about 400 feet long, which was drawn under the ice in Big lake, in Allamakee county. For this act he was arrested and brought before the mayor of the city of Lansing, on information filed by the fish commissioner of the state, charging the defendant with illegally seining fish, contrary to the laws of this state. He was convicted and appealed to the district court. There was a jury trial, and at the close of the evidence the court directed a verdict for the defendant, from which this appeal is prosecuted.

II. There are a number of assignments of error in this case growing out of the rulings of the court upon the introduction of testimony, the refusal to give instructions asked by the state, the action of the court in directing a verdict for the defendant, and in other respects. Nearly all of these, however, in one way or another, relate to, and all are dependent on, the solution of the real question in controversy, viz., whether or not Big Lake is a part of the Mississippi river, within the meaning of the statute which exempts the waters of said river from the operation of the laws of this state prohibiting the scioing of fish. To this question only shall we direct our attention.

The statute upon which the information against the defendant is based is found in the acts of the Twenty-third General Assembly (chapter 34), and is entitled "An act for the protection and preservation of fish," etc. It is provided by section 2 of the chapter that "It shall be unlawful for any person to take from any of the waters of the state any fish in any manner except by hook and line; except that it shall be lawful for any person to take minnows for bait with a seine that does not exceed five yards in length. Also that it shall be lawful to take buffalo and suckers by spearing between the first day of March following. * * " Section 6, under which the information was drawn, reads: "No person shall place, erect, or cause to be placed or erected, in or across any of the rivers, creeks, lakes, or ponds or any outlets or inlets thereto any trot line, seine, net, weir, trap, dam or other obstruction in such manner as to hinder or obstruct the free passage of fish up, down, or through such water course for the purpose of taking or catching fish unless the same be done under





the supervision of the fish commissioner, except minnows as provided in section 2 of this act." Section 7 of the act prohibits the placing of drugs, dynamite, powder, etc. "in any of the waters of the state," for the purpose of destroying or catching fish. In section 8 it is provided that any person found guilty of violating sections 6 or 7 of the act shall, upon conviction, be fined not less than \$25 nor more than \$100, and stand committed until such fine is paid. Section 11 of the act provides that "nothing herein contained shall be held to apply to fishing in the Mississippi, the Missouri, or the Big Sloux rivers, nor so much of the Des Moines river as forms the boundary between the states of Missouri and Iowa." Defendant relies upon the provision of the section last quoted, and claims that Big Lake constitutes a part of the Mississippi river which is exempted from the operation of the act. It is not questioned that, if Big Lake is not a part of the Mississippi river within the meaning of the act, then the defendant is guilty of having violated the law.

The plat above will aid in understanding the situation of Big Lake and its connection with the main channel of the Mississippi river. Big Lake is about a mile and a half long, and three-quarters of a mile wide. It rests in a shallow basin or depression, and has sloping banks. While there is a conflict in the testimony as to whether or not there is a current in this lake, we think the weight of the evidence is to the effect that at an ordinary stage of water there is no current. It appears that the water is clearer than that in the Mississippi river. The lake is from four to six feet deep. At an ordinary stage of water in the lake, the water in the outlet is about two feet deep and from ten to twenty feet wide. The testimony tends to show that for two years prior to the trial of this case in the court below, viz., in 1892 and 1893, there had been no water running into this lake, though when the water is high there is a water connection at the north end of the lake. There are several sloughs between the lake and the main shore on the Iowa side, west of the lake. From the hills on the Iowa side of the river to the lake it is a mile and a half. The land lying east of Big lake, and between it and the main channel of the river, is used for grazing and hay land, and on it are trees ranging in size from an inch or two in diameter up to three or four feet. It is admitted that Big Lake and the slough lying west of it have not been used for purposes of navigation. Big Lake, then, is a body of water having well defined shores and no current. It is from a quarter to a half a mile west of the main channel of the Mississippi river at the nearest point. It appears that there are times when the high water overflows all, or nearly all, of the land between the mainland on each side of the river. From the evidence it is clear that Big Lake is not a part of the Mississippi river, so far as navigation is concerned. It is not disputed that it lies wholly within the state of Iowa. It follows, then, that Big Lake, lying as it does wholly within the state of Iowa, does not constitute a part of the Mississippi river for boundary purposes. Dunleith & D. Bridge Co v. County of Dubuque, 55 Iowa, 558, 8 N. W., 443; Buttenuth v. Bridge Co., 123 Ill. 535, 17 N. E 439; State of Iowa v. State of Illinois, 147 U. S. 1, 13 Sup. Ct. 239 We think it is quite clear that the intention of the law was to prohibit seining within water wholly within this state. Section 2 of the act referred to uses the words, "from any of the waters of the state." In section 3 the words used are, "from any of the waters of the

state." In section 7 the same words are used. These words very definitely cover all waters lying wholly within this state, and there can be no doubt they include Big Lake, unless it is exempted from their operation by virtue of the provision of section 11 of the act. Now, it is apparent that section Il excepts from the operation of the act only the boundary waters of the state, over which the state has not exclusive jurisdiction. There is nothing in the section which suggests that it was the intent of the legislature to exempt from the operation of the act waters which lie entirely within our own state. Big Lake being wholly within the state, we can discover no reason for saving that it was not the intention of the legislature that the provision of the act prohibiting seining in "any of the waters of the state" should not apply to it, the same as to any other body of water entirely within the state. We think that the Mississippi river, which is excluded from the provision of the act, includes only that body or stream of water which is popularly known as such river; that the wording of section 11 of the act indicates that it was the Mississippi river which constitutes the boundary line of the state, which the legislature had in mind.

Again, we may look to the evil sought to be remedied by this legislation. The purpose was to prevent the wanton and unnecessary destruction of fish in the waters over which the state has exclusive jurisdiction; to preserve the fish in said waters for the use of the people of the state. If it be true that these lakes and streams, which, though connected with the main body of water known as the Mississippi river, yet form no part of the river proper, are not waters in which selning is prohibited, then the legislation falls far short of remedying the evil which existed, and these waters of the state which, we are justified from the evidence in this case in saving, constitute the most valuable fishing grounds in the state, may be despoiled in this wholesale way of their wealth of fish without let or hindrance. To be justified in reaching such a conclusion, it should appear clearly that such waters were intended to be exempted from the operation of the law. We find nothing in the law to warrant defendant's contention. We do not deem it necessary to discuss what constitutes the middle of the main channel of the river. The "Mississippi river" spoken of in the statute is the river as usually referred to. It means that body of water which forms the eastern boundary of the state, and, from the wording of certain sections of the act, it is manifest that it was not intended to embrace within the words "Mississippi river" waters entirely within the state, though having connection with said boundary stream. Appellee relies upon the case of Dunleith & D. Bridge Co. v. County of Dubuque, supra. It is claimed that that case is declaive of this controversy. We do not think so. The question in that case was as to what part of plaintiff's bridge was properly assessable in Iowa. It was held that the word "channel," as used in the act of congress admitting Iowa into the union, and in our state constitution in defining our eastern boundary as the middle of the main channel of the river, referred to the bed in which the main stream of the river flowed, and not to the deep water of the stream, as followed in navigation. Big Lake is in no sense a channel of the Mississippi river, and no question is made that it is wholly within the state of Iowa. It is a part of the river in the sense only that it is connected with it, and in every other respect it is as distinct a body of water as any which may be found in the interior of the state. On





ARTESIAN WELL AT SABULA THAT FURNISHES WATER FOR STATE SUPPLY PONDS



POND AT SABULA.

the one hand, the legislature prohibits seining in any of the waters of the state. On the other hand, it says, in effect, that this prohibition shall not extend to boundary waters over which the state has not exclusive jurisdiction Such, we think, is the fair and proper construction of the law. The court below, therefore, erred in holding that Big Lake was a part of the Mississippi river and exempted from the operation of the law. The defendant having been acquitted, the only effect of this opinion will be to settle the law of the case. Reversed.

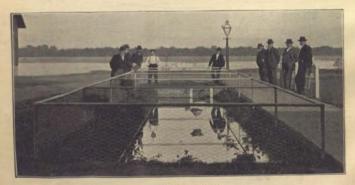
DISTRIBUTION.

SPIRIT LAKE.	
	50,000
Rock bass	10 000
Black bass	75,000
Cilman huan	20,000
Perch	000,000
Trout	50,000
Crapples	100,000
Mixed varieties	000,000
оковол.	000
Black bass	175,000
Silver bass	30,000
Page hour	0,000
Panah	200,000
Wall avad nika	50,000
Warnet	00,000
Mixed variation	200,000
Crappies	100,000
CLEAR LAKE.	
Orappies	50,000
Perch	15 000
Silver bass	25,000
Silver bass	50,000
Trout	2000
Pickerel	15,000
Sunfish	50,000
Black bass	Barren
BEED LAKE.	-
Crapples	5,000
Silver bass	0,000
Perch	5,000
SILVER LAKE.	
SILVER DARL	5,000
Wall-eyed pike	O PERSON !
STORM LAKE.	Contraction of the Contraction o
Trout	50,000
Black bass, crappies, sunfish and pickerel	125,000

Black bass, crapples, sunfish and pickerel. 125,000
DES MOINES RIVER. 250,000
Mixed varieties
CEDAR RIVER. 20,000
Wall-eyed pike 20,000 Black bass, crappies, sunfish and pickerel 425,000 Silver bass 10,000 Black bass 1,000 Crappies 5,000 Perch 10,000 Crappies 5,000 Silver bass 5,000 Silver bass 5,000 TUBKEY RIVER 10,000
Black bass, crappies, sunfish and pickerel
SHELL ROCK RIVER. 10,000
Silver bass 10,000
Black bass 1,000 Crappies 5,000 Perch 10,000
Crappies 5,000 Perch 10,000 IOWA RIVER. Perch 10,000 Crappies 5,000 Silver bass 5,000 TUBKEY RIVER.
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Perch 10,000 Crapples 5,000 Silver bass 5,000 TURKEY RIVER.
Crapples 5,000 Silver bass 5,000 TURKEY RIVER. 5,000
Crappies 5,000 Silver bass 5,000 TURKEY RIVER. 5,000
TURKEY RIVER.
Black bass (U. S. Commission) 25,000
00,000
WAPSIPINICON RIVER.
Black bass, crapples, sunfish and pickerel
BUFFALO RIVER,
Black bass, crappies, sunfish and pickerel
CARP DISTRIBUTION.
French Whitmore
W. HaneyWellman
P. D. HoffGrimes
Wm. Weyranch
B. F. Roberts
L B Griffin Clarion Chas. Winnings Ida Grove
C. C. Kell Ladora
J. B. Beta
Geo. E. Morse
F. M. Belknap Anamosa
L. S. Huntley
D. KnottsLucas
Hon. R T. St. John
H. Fischer
M McDonald Bayard Geo S Beach Lenox
W L Van Eaton
Frank Van Eaton
S. A. Eychaner
S. A. Eychaner Newton H. M. Helgen Ruthyan
S. A. Eychaner Newton H. M. Helgen Ruthven N. R. Clift Zearing Peter Anderson Harlan



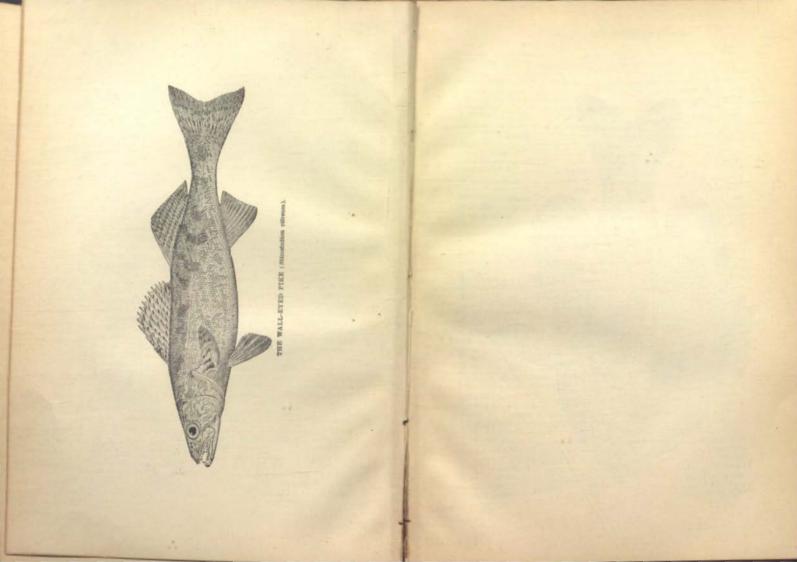
STATE SUPPLY POND AT SABULA.



POND AT SABULA.

J. W. Adams
William HarveyWellman
William Morshell
W. H. Spurier Lamoni
J. L. Brooks Hedrick
Thomas Van WinkleHedrick
William Weyranch (second delivery) Ankeny
O. H. Schlapkohl
D. Kohl Radeliffe
M. D. Crow
A. RainsSilver City
W. F. Noble
J. A. Caster Leon
E. J. Caldwell
John KellyCreston
J. B. Parmelee
J. A. Neill
Ben Van SteenburgPreston
D. A. WaterhouseFarley
John ShephardCaledonia
Peter H. MadsenHarlan
George H. Miller
B. W. GregoryKirkman
William Bisgrove
J. W. FarmerMontezuma
J. D. Dohrman
August RardeCharter Oak
H. Schultz Charter Oak
Ernest Nehmet
Z. N. Bay
John SmithAlbia
J. G. Stafford
J. J. SlutzSharon Center
C. PugsleyArmstrong
J. G. FischEstherville
W. F Zschary Prairie City
Henry HogenkampCromwell
E. H. Boody
F. M. Stephenson
I. White Shenandoah
John Graf Lockridge
H A. Burkholder Woodbine
A. J. Hart Charter Oak
James A Noble Vinton
I. H. Kuhl Earling
A. J. Amundson Roland G. F. Maysent Panama
G. F. Maysent
S. D. WilliamsVinton
J. M. HaleMt. Etna
J. W. RossLadora

W. S. Wright	
C. F. Sullivan	Creston
A A. Mason	Albia
r S. Hulbert	Greenfield
Charles Boutlier	Britt
J S. Hurst	Zearing
H. F. Fischer	Pomeroy
Thomas Caswell	Cherokee
M. Thielman	
GOLDFISH DISTRIBUTION.	
Mrs. Ole Ammundson	Estherville
A. H. Fulton	Knoxville
W. J. Fogarty	Rock Rapids
Mrs. B. P. Birdsall	
Mrs. W. W. Reynolds	Sheldon
Olaf Olson	Rock Rapids
J. G. Crozier	
H. C. Haberlee	Manchester
Mrs. J. C. Perry	Onawa
James Goddard	Livermore
Rev. T. J. McGrath	Charles City
F. R. Conaway (second application)	Des Moines
Lon Templeton	Maquoketa
J. S. Green	Maquoketa
C. Durant Jones	Stanhope
John G. Legal	Charles City
Mrs. Lewis Fairchilds	Webster City
E, V. Baldwin	Hampton
Rev. Ginter	Spirit Lake
Ed. Raymond	Spirit Lake
A. W. McFarland	Dakota City
Mas Herman Graaf	Estherville
Thomas Early	Emmetsburg
O. Neville	Estherville
Charles R Kirk	Chariton
G H Smyth	Stuart
F H Stoddard	Humboldt
C. C. Galloway	Marshalltown
Mrs P C Tuler	Greene
J D Parry	Floyd
Frank Walker	Clarion
Hon G C Heberling	Sabula
C II Novice	Gladbrook
A Tout	Mason City Junction
Thomas Pullon	Estherville
E W Chargen	Iowa Falls
Bondler & Wagner	Rock Rap da
Canana E Diahandaan	Le Mars
C G Houx	Cedar Rapids
B. E. Fraley	Albion
An An Elmoj-market	THE RESERVE OF THE PARTY OF THE

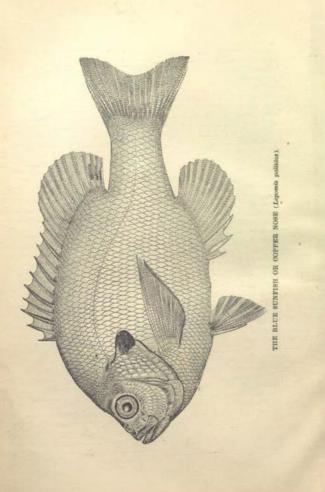


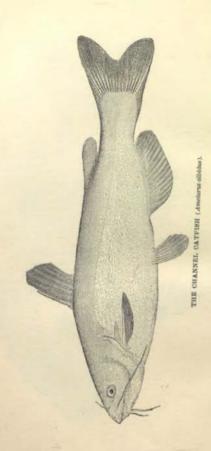


Belknap BrothersHarris
A. W. Van Houten
F. King Rolfe
L. M. FooteInwood
Olaf Johnson Estherville
Grace Hodges Geneva
D. Mundell
O. T. Lush
Dr. Frisble
H. C. Middlebrook
Royal Oaks Sabula
Benjamin Bedford Sabula
L. L. Esmay
Royal OaksSabula
Benjamin BedfordSabula
O. E. WoodsMason Clty
Miss Emmerson
E. L. HendersonWest Liberty
C. B. McClunWest Liberty
Mrs. W. E. SmithRichland
Louis E. Smith
J. White
Mrs. C. K. Howe
McCarty & LindermanEmmetsburg
T. M. Zink Le Mars
Miss Jones
Miss Ada WhitmoreOsceola
C. F. Gullxson Bode
Mrs. J. S. Sinclair
Frank Tessar
Charles Copley
E. H. Bryant
Mr. Griffen Spirit Lake
Robert Miller Spirit Lake
A. B. Huntly Buffalo Center
W. R. JohnsonCherokee
E. M. Burns
Mrs. Andrew Seaverson
Wm. BisgroveClarion
Joe JoyceEmmetaburg
Irolne W. FarmerMontezuma
Thomas GrayWesley
L. H. FarnhamAkron
F. W. Bicknell
Mrs. F. H. HinenIowa Falls
Miss Mamie Prichard
Mrs. Jesse SmithLaurens
John W. FarmerMontezuma
A. L. BushEmmetsburg
O. L. Wilson Estherville

Day Moless

Horace Bennett	Des Moines
Miss Evalyn Plummer	Viola
W. E. Albert	Lansing
R. C. DunganVa	lley Junction
Mrs. Frank Brownell	
James Espesett	Estherville
Mrs. M. Wilson	Estherville
George W. Adams	Estherville
S. H. Welden	
Mrs. C. F Beard	
Mrs. P. Rose	
Conductor Mattison	
Florence White	
Alice Smith (for Soldiers' Orphans' Home)	Davennort
C. Alt	
C. P. Wallace	
D. W. Sternes	
Fred Philips	
Mrs. I. G. Gallagher	
Miss Abele Pratt	
Senator Ellison	
Belle Hailston	
Mrs. B. S. Cuplin	
Zola Wheeler	Orleans
Mary Clark	
Mrs. S. Weed	Orleans
C. A. Smith	
E. H. Smith.	
Orange Jones	
Mrs. Plummer	
J. I. Gilman	
Webster Grocer company	Webster City
G. W. Metcalf	
George Letchford	
W. W. Fonda	Monona
L. H. Farnham	Spirit Lake
Mrs. Will Lyon	Estherville
H. M. Wilson	Atlantic
A. A. Smith	Dows
Miss Goodwin	Burt
Joe D. Cotton	Sabula
J. E. Scott	Emmetaburg
J. F. Rowe	Emmetsburg
Hon. Thomas Lambert	
Mrs. B. P. Birdsall	
G. M. West	
Mrs. A. A. Wieks	Webster City
D. E. Packard	
Howard Walters	
A. H. Moll.	
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C. F. Jackson	Eatharvilla
Parr Goodall	Osnoro
C. A. Lange	Dogonak
A. H. Treat	Charles City
Chas. F. De Smith	Charles City
Charles R. Kirk	Charles Olly
Dr. S. K. Rice	Northwood
J. T. Snyder	Northwood
Mrs. C. B. Taylor	Town Palls
J. B. Kissell	Dubwana
S. Pillsbury	Solut Take
Ira Carlton	Quisit I also
G. B. Pray	
W. S Richards	The Molnes
W. Patrick	Des Moines
Insane Hospital	Tadamardanas
Mrs. C. A. Austin	- Independence
Hon J. H. Trewin	Sumper
W. H. McKean	
C. Currie & Son.	Meanbeck
T. M. Seiley Jos. Smith	- West Liberty
Mrs. T. J. Greggs	
W. F Barr	
W. J. Fogarty	
E. A. Bundy.	
Mrs. J. S. Mead	
H. J. Green	
Jungar & Myors	
W. W. Coles	
Hon. D. H. Palmer	
Harry Schermer	
H. F. Fuller	
W. H. Rooney	
Geo. Shipley	
H. W. Rothert	
Phil Sargent	
F C Nafus	
J. H. Carmichael	
Wm. Scott	Emmetsburg
Carl Jruiller	Ft Madison
Mrs. E. T. Hobein	
O. T. Lush	
Mr. Reed	
Mr. Bickle	
F. R. Cenaway	Des Moines
A. B Shaw	Corning
Mrs. U. B. Tracy	Clarion
Allce M. Means	Hartley
C L. Dixon	Sheldon

J. H. Milhollam	Cedar Ranids
Mrs. E. P. Hall	Sheldon
Cornie Olson	
Mary Guehler	Le Mars
Fred Roberts	Estherville
Joe D. Cotton	
Charley Day	Sabula

ESTIMATE OF FUNDS NECESSARY FOR 1897-8.

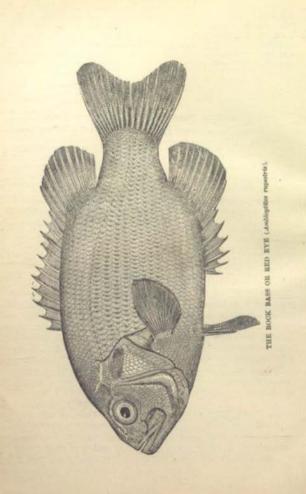
For gathering fish at Sabula for restocking the lakes and rivers of
the state \$ 5,000
For improvement and building necessary ponds at Sabula 500
Assistants' salary 600
For protection, distribution and reproducing fish for the next two
years 10,000
Protection of game and payment of deputies

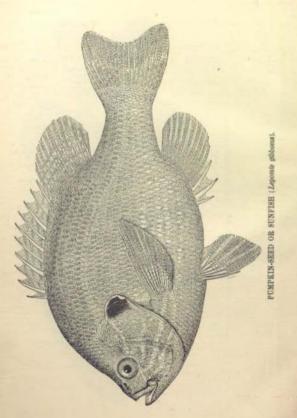
This would give the commission \$10,500 per annum, which is little enough since the game interests have been added to the fish commissioner's duties.

ACKNOWLEDGMENTS.

To the Burlington, Cedar Rapids & Northern and the Chicago, Milwaukee & St. Paul Railway companies are we under especial obligations for valuable courtesies rendered the commission whereby the efficiency of the work has been greatly increased. To other lines of railway, the Illinois Central, Iowa Central and C. G. W., are we also under obligations for favors granted, and also to the press of the state that has been outspoken in favor of the law and the work of the commission, thus creating a sentiment for the right and aiding in increasing the efficiency of the work accomplished.

We desire to thank members of both branches of the legislature for valuable suggestions and timely assistance and also for making wise changes in the law whereby the rights of honest sportsmen and the people generally may be better protected and the crimes of the poacher more easily punished.





STATEMENT OF RECEIPTS AND EXPENDITURES.

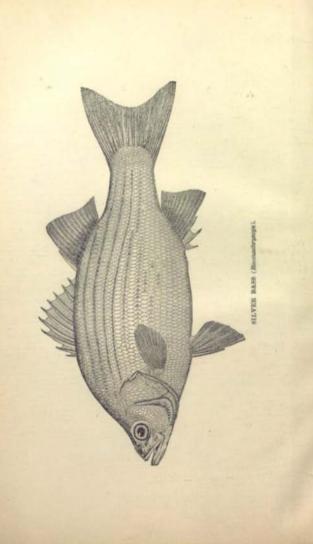
The last biennial report gave an exhibit of receipts and expenditures from April 1, 1894, to October 31, 1895. At that time (October 31, 1895,) there was an unexpended balance, of the \$6,000 appropriated, of \$2.058.16. During the months of November and December, 1895, and January, February and March, 1896, there was expended of this amount \$839.51, leaving \$1,218.65, which was turned back into the treasury.

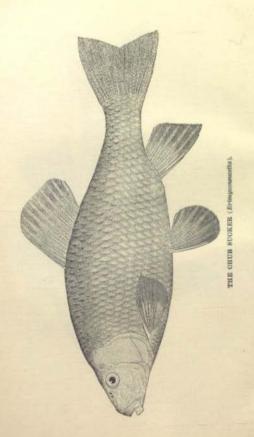
	Expend-	Receipts.
Amount appropriated by the Twenty-sixth General Assembly		\$ 6,000.00
April, 1800	\$ 265 30	
May, 1896,	2011.18	
June, 1896	420 00	
July, 1896	200.84	
August, 1804	289.91	
September, 1899	109.30	
October, 1898	226.83	2 2
November, 1896	309.80	
December, 1896	309.56	
January, 1807	169.83	
February, 1897	142.66	
March, 1897	1,193,54	
April, 1807	- 165.01	
May, 1807	190.52	
June, 1897	200.87	
July, 1807	247.95	
August, 1807	173.35	
September, 1897	182.00	
October, 1997 f		- \$ 5,273.52
Amount on hand November 1, 1897		8 726.48

This unexpended balance of \$726.48 is the only available resource the commission has for carrying the work forward for five months, until April, 1898.

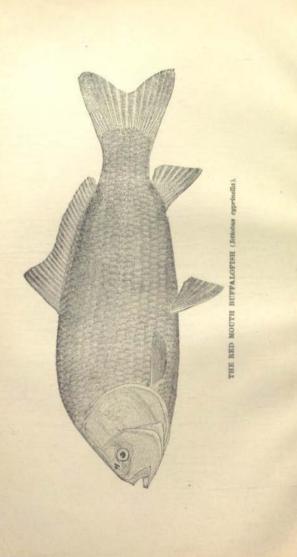
An itemized report is filed with the auditor of state. Respectfully submitted,

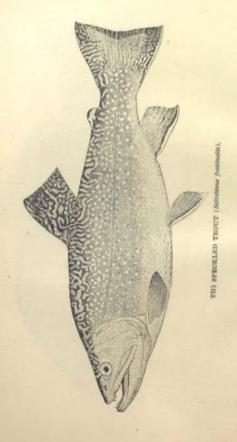
G. E. DELAVAN, Commissioner.





APPENDIX.





REPORT OF PROF. L. S. ROSS, OF DRAKE UNIVERSITY, UPON THE INSECT LIFE IN OKOBOJI AND SPIRIT LAKES.

DES MOINES, Iowa, September 10, 1897.

Hon. George E. Delavan:

SIR-The practical as well as the theoretical value of a knowledge of the fauna and the flora of the streams and fresh water lakes is being recognized more and more by the scientist and by those interested in fish culture. Everyone recognizes that the fish must live upon what may be found in the water, unless they are fed artificially; but many people suppose they live upon something without stopping to think what that something may be. It has been only within recent years that any special attention has been given to the study of the food supply of the fresh water fishes. The researches of a few investigators show that many of the species depend upon the minute forms of animal life for their very existence. Dr S. A. Forbes, of the University of Ilinois, made a study of the food of the fresh water fishes of Illinois through a period of several years by examining the contents of the stomachs of some hundreds of specimens of various species taken from the lakes, rivers, creeks and ponds of the state. As the result of his exhaustive work, Professor Forbes found that insect larvae and the minute crustacea (water fleas) form a very large percentage of the food of most of the fresh water fishes examined. The importance of a thorough knowledge of the water fleas, or Entomostraca, is at once apparent. It is known that certain species occur more abundantly at certain periods of the year than at others; that some live in shallow, weedy pools, others in the muddy wayside ditch, and yet others in the clear waters of the lakes at varying depths. But there are many problems in connection with their occurrence and distribution, their relation to other minute forms of life, and their life history which are yet unsolved. These problems are being attacked by a few zoologists in Europe and America.

There can be no question concerning the value of a careful study of the Entomostraca of the state from the standpoint of the scientist or from that of the fish culturist, for the more that is known of the food of the young fish the more intelligently can their propagation and culture be carried on. The means have not been placed at the disposal of the fish commissioner so that any work of this character could be done by him. In this respect Iowa has not kept in line with some of her sister states. Illinois has its state laboratory of natural history; Minnesota, its natural history survey; Wisconsin has begun upon a natural history survey, and in the summer of 1893 the Michigan fish commission began some valuable work upon a biological investigation of Lake St. Clair.

A little preliminary work has been done by me upon the Entomostrace for 1895 and also for 1896. In the Proceedings of the Iowa Academy of Sciences for 1895 and also for 1896. In the summer of 1895 some collections were made by Mr. McCormack, a student of Drake university, and myself from Spirit Lake and from East and West Okoboji lakes. In June, 1896, I made a brief visit to the same Jakes to obtain material for further study. Some collections have been taken also from the Des Moines river and from other streams and pools in the vicinity of Des Moines. The only work I have had opportunity to do is merely the identification of species of the order Cladocera. Collections from various parts of the state and a more thorough examination of the lakes already visited will add to the number of species reported.

The list of the species obtained is given below:

Family Sididæ..... Sida crystallina O. F Muller.

Simocephalus vetulus O. F. M. Simocephalus serrulatus Koch. Ceriodaphnia reticulata Jur. Ceriodaphnia consors Birge. Ceriodaphnia lacustris Birge. Scapholeberis mucronata O. F. M.

Family Daphniidæ Daphnia hyalina Leydig.
Daphnia kalbergiensis Schoedl.

Daphnia retrocurva Forbes. Daphnia hybus n. sp. Daphnia sp? Daphnia pulex DeGeer.

Family Bosminide......Bosmina longirostris O. F. M.

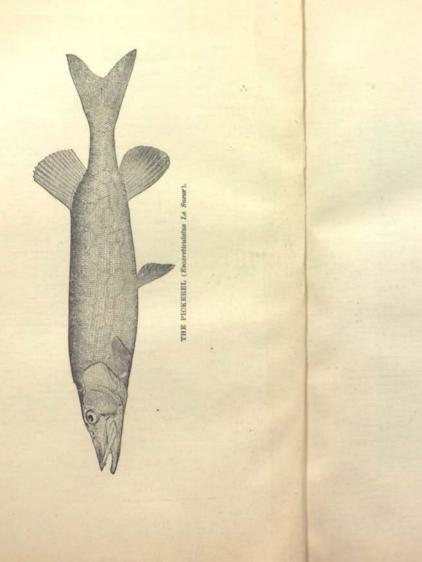
Family Macrothricide.... | Macrothrix laticornis Jur. | Iliocryptus sordidus Lleven.

Eurycercus lamellatus O. F. M. Alona guttata Sars. Alona sp?

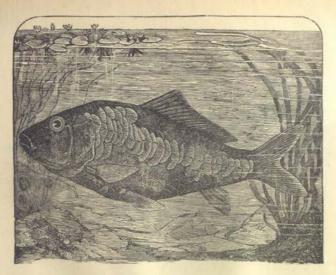
Pleuroxus denticulatus Birge.
Pleuroxus procuevatus Birge.
Pleuroxus procuevatus Birge.
Pleuroxus extiguus Lillj.
Chydorus sphericus O. F. M.
Chydorus globosus Baird.
Leydigia quadrangularis Leydig.

Camptocercus rectirostris Schoedl. Graptoleberis testudinaria var. Inermis Birge.

Family Leptodoride.....Leptodora hvalina Lillj.







MIRROR CARP.

IOWA'S MEANDERED LAKES.

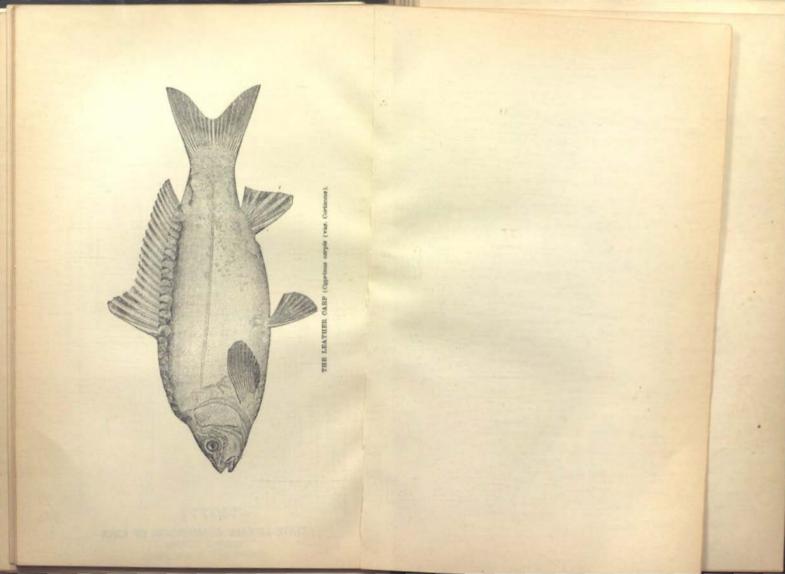
A statement of the meandered lakes of Iowa, their locality, area, and shore line, as shown by the meander notes of the government survey of same.

	LOCALITY OF LAKE.			area		ESTIMATED SHORE LINE,		
LAKE		Bange.	COUNTY.	Estimated a	Miles.	Chains.	Links.	
Goose lake, in sections 28, 29, 23 and 23. (inscatine slough in sections 7, 17, 18, 20, 21, 28 and 20. (inm lake. Freen bayon, in sections 26, 27, 28, 28, 31, 32 and 20. Freen bayon, in sections 12, 27, 28, 28, 31, 32 and 23. (seekuki lake, in sections 18, 22 and 23. ake in sections 18, 20 and 21. (wo lakes in sections 18, 21 and 25. (ake in sections 18, 20 and 21. (ake in sections 30 and 31. (lake in sections 30 and 31. (lake in sections 30 and 31. (ake in sections 31, 22, 34, 25 and 39. (ake in sections 31, 30, 20 and 30. (ake in sections 21, 22, 27 and 25. (ake, in sections 18, 30, 20 and 30. (ake, in sections 18, 30, 20 and 30. (ake, in sections 18, 30, 20 and 30. (ake, in sections 30 and 22. (ake, in sections 30, 30, 20 and 30. (ake, in sections 31, 30, 20 and 30. (ake, in sections 31, 30, 30 and 30.	999 811 900 1000 1000 888 885 877 877 877 892 994 996 996 996	E W W 2 and 3 2 2 and 3 2 2 2 and 2 3 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	Clinton Louisa. Louisa. Lee Louisa. Lee Aliamakee Delaware Aliamakee Aliamakee Aliamakee Coerro Gordo Worth and Winnebago. Worth and Winnebago. Worth Morth Hamilton Wright Wright Wright Wright Hancock	301 55 570,00 152 00 454 00 454 00 454 00 469 00 469 00 469 00 318 00 31	21 220021-01-0121-0100000	65 31 11 15 65 6 6 15 15 15 15 15 15 15 15 15 15 15 15 15	48 40 111 377 3388 27 55 59 42 55 50 513 15 55 50 513 15 55 50 513 15 55 50 513 15 55 50 513 15 55 50 513 15 51 51 51 51 51 51 51 51 51 51 51 51	

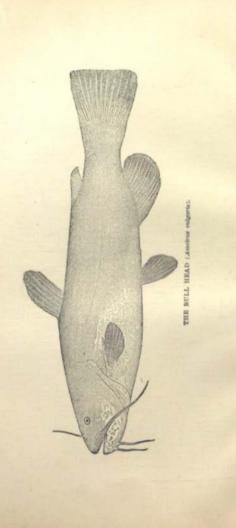
APPENDIX.

	LOCALITY OF LAKE.				LOCALITY OF LAKE. SHO		SHORE LINE.		
LAKE.	Township.	Range.	COUNTY,	Estimated in acres.	Miles.	Chains.	Links.	REPC	
Lake Bass lake Bass lake Bancroft lake, in sections 10, 14 and 15. Lake. In section 17. Lake, in section 28. Lake, in sections 9 and 10. Lizard lake, in sections 12 and 27. lowa lake, in sections 11, 12 and 14. Walled lake Lake (medium). Swan lake (seven or eight miles long) Lake Okamanpadu, in sections 10, 11 and 12. Tremont lake Lake, in sections 1, 2, 11 and 12. High lake, in sections 1, 2, 11 and 13. Lake, in sections 14, 15 and 23. Swan lake, in sections 27, 28, 33 and 34. Lake, in sections 16 and 17. Tow Head lake, in sections 23 and 24. Clear lake Two lakes, in sections 20 and 21. Silver lake, in sections 29 and 30. Lake, in sections 29 and 30. Lake, in sections 16, 17, 19, 20 and 21. Eagle lake, in sections 11, 14 and 23. Lost Island and Pelican lakes. Trumbull lake Twelve Mile lake, in sections 20, 21 and 29. Cheever lake, in sections 20, 21 and 29. Cheever lake, in sections 8 and 17. Lake Lake, in sections 8 and 17. Lake Lake, in sections 8 5, 8 and 9. Rush lake, in sections 8 and 17. Lake Lake, in sections 25 and 26.	91 100 84 100 100 100 91 100 88 and 89 96 and 97 100 88 88 98 98 98 98	29 and 30 30 and 31 30 30 30 31 32 and 33 32 and 33 32 and 33 33 34 34 34 34 34 35 and 36 33 33 33 33 33 33 34 34 34 34 34 34 34	Webster and Humboldt Humboldt Kossuth Greene Kossuth Kossuth Kossuth Kossuth Kossuth Caihoun Pocahontas Emmet Caihoun Calhoun	211 00 208 00 125 00 76 43 147, 40 48, 00 2° 2° 38 285 00 571 00 980 00 2, 300, 60 980 00 2, 300, 60 445, 00 441, 00 337 00 442, 28 117, 20 616, 00 442, 28 117, 20 616, 00 19, 50 51, 77, 30 616, 70 19, 50 11, 77, 30 11, 77, 77, 77, 77, 77, 77, 77, 77, 77,	301000101 0100020800010000000000000000000	40 60 60 60 65 55 75 75 75 75 75 75 75 75 75 75 75 75	87 79 73 75 75 75 70 86 79 59 29 29 29 23 35 16 82 23 23 35 66 62 62	PORT OF THE FISH COMMISSION. [18	

STATE LIBRARY COMMISSION OF IOWA
Historical Building
DES MOINES, IOWA 50319



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