

## AMEND LAW CONCERNING FISH AND FISHERIES.

JANUARY 10, 1888.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. DUNN, from the Committee on Merchant Marine and Fisheries, submitted the following

### REPORT:

[To accompany bill S. 261.]

The Committee on the Merchant Marine and Fisheries, to whom was referred the bill (S. 261) entitled "An act to amend the law concerning the Commissioner of Fish and Fisheries," have considered the same and report it back to the House without amendment and recommend its passage without delay.

The U. S. Fish Commission was established by act of February 9, 1871, which provided for the appointment, by the President, with the consent of the Senate, of a Commissioner of Fish and Fisheries from among the civil officers or employés of the Government, who shall serve without additional salary. The act contemplated simply an investigation "with the view of ascertaining whether any, and what, diminution in the number of the food fishes" had taken place, and also what "protective, prohibitory, or precautionary measures should be adopted, and report upon the same to Congress."

The act of March 3, of the same year, to provide for deficiencies, etc., appropriated \$5,000 for the expenses of the inquiry ordered.

Prof. Spencer F. Baird, then assistant secretary of the Smithsonian Institute, and an employé of the Government, he having charge of the National Museum, was appointed Commissioner. He prosecuted the inquiries with so much zeal, energy, and ability that the act of 1871 was re-enacted, and the deficiency bill of May 18, 1872, made an additional appropriation of \$3,500 to continue the inquiry and \$500 for the preparation of illustrations, tables, and report.

So impressed was Congress with the wisdom of Professor Baird's recommendations, based on the investigations he had made into the condition of our fisheries, that the act of June 10, 1872, contained an appropriation of \$5,000 to continue those investigations during the fiscal year, and \$15,000 was provided "for the introduction of shad into the waters of the Pacific States, the Gulf States, and of the Mississippi Valley; and of salmon, white fish, and other useful food fishes into the waters of the United States to which they are best adapted." Each succeeding year appropriations have been increased as the work was extended under the wise and successful management of the Commissioner.

The act limiting the appointment of the Commissioner to a detail of some one at the time in the employ of the Government appears to have contemplated only an inquiry occupying perhaps a few summer months.

At the time of the selection of Professor Baird his duties under his salaried position were comparatively light, as he was charged with the administration, under the Secretary, of the Museum, which was in those days contained in the small space which could be allowed in the Smithsonian Building. Under Professor Baird's masterly, wise, and energetic management, both the Fish Commission and the National Museum have grown to large proportions, so that at his death the work of the Fish Commission had developed from an inquiry in 1871, on an appropriation of \$5,000, to the production, transportation, and distribution of over 100,000,000 young fish, and the administration of some sixteen hatching and rearing stations: Two in Maine, at Grand Lake Stream and Bucksport; two in Massachusetts, at Gloucester and Wood's Holl; two in Michigan, at Northville and Alpena; one at Duluth; one on the Columbia River; two in California, on the Sacramento; one on the Susquehanna, at Havre de Grace; one at the mouth of the Potomac; two within the city of Washington; one at Fort Washington, and one at Wytheville, Va., besides the administration of scientific investigations and fish hatching done by three steam and one sailing vessel, and of three transporting cars specially designed to transfer fish from one end of the country to the other.

The National Museum has had a corresponding expansion, for in addition to the hall of the Smithsonian which held the collections in 1871, and whose administration cost \$20,000, a building covering  $3\frac{1}{2}$  acres has been built and equipped, and it has been found necessary to appropriate \$168,000 for their care this year.

The necessity for husbanding and increasing our food resources, and Professor Baird created and expanded the Fish Commission, and although the act of 1871 may have been prudent and a wise measure at the time it was enacted, and although the work of the Fish Commission as well as that of the Museum was well done by him, perhaps at sacrifice of some years of his valuable and honored life, it is to be doubted if, at the time of his appointment as Fish Commissioner, the Smithsonian, the National Museum, and the Fish Commission had been of their present magnitude, Congress would have provided for their conduct being placed even on his broad shoulders, and the work of three assigned to his well trained and cultivated intellect.

The work of the Fish Commission has become so extensive, and the results so important to the country, that it should be made, as this bill proposes, the sole object of the Commissioner—it should occupy all his time. This bill, therefore, while giving the President the greatest latitude in making his choice, takes away the limitation that that choice shall be confined to those who may be otherwise employed by the Government. This bill repeals the provision of the act of 1871, which requires that the now important and all-engrossing duties of the Fish Commissioner shall be performed at the expense of some other Department and some other appropriation.

Under the present law the Commissioner must either hold a sinecure, receive a Government salary, which he does not earn, or he must neglect duties for which he is paid in order that he might perform others for which he is not paid; or, perhaps, as in the case of Professor Baird, devote hours which nature demands for rest and recreation to Government work without compensation. The first two alternatives are neither right nor proper, and the Government is not so impecunious or needy that we should ask for it or accept such gratuitous services.

The rate of salary named in the bill is the same as has been fixed for and paid to the Assistant Commissioner for years.

With a Commissioner charged, as his sole duty, with the work of the Fish Commission there will be no further need for an Assistant Commissioner. The bill, therefore, does not contemplate any additional expense. The further details of the administration will be looked to when the appropriation bills are made up.

It is best not to encumber the present bill with other matter than the provision for the head of the Commission, as it is of the first importance that a permanent head of the Commission should be provided for at once. As soon as the new Commissioner provided for by this act shall have been appointed and installed, he can be called before the committees of the House, and if further legislation be needed it can be predicated on his reports, and after a revision of any projects for the prosecution of the work which he may submit.

