

CHAPTER XLII.

A Supplement to an act entitled "An act for the appointment of **commissioners** for the better protection of the fishing interests of the state of New Jersey," approved **March** seventeenth, one thousand eight hundred and seventy.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the governor, for the better protection of the fishing interests and of the **game** birds and **game** animals of this state, and for the better enforcement of the laws relating thereto, shall appoint by and with the advice and consent of the senate, three **fish and game commissioners**, and they shall (except as herein otherwise provided) continue in office for the term of five years, and until their successors are **appointed**, conformably to this act.

Governor to appoint **fish and game** commissioners.

2. *And be it enacted*, That upon the original appointment of said **commissioners**, one of them, to be designated by the governor, shall serve for the term of three years, one for the term of four years and one for the term of five years, and that upon the expiration of the term of any such commissioner, his successor shall be **appointed** in manner aforesaid for the term of five years; any vacancy occurring among said **commissioners** shall be filled in the same manner by the governor, for the unexpired term only.

Term of office.

Vacancy.

3. *And be it enacted*, That there shall be paid to said **commissioners** by the treasurer of the state, on the warrant of the comptroller of the state, on or before the first day of April in each and every year the sum of three thousand dollars for the purpose of stocking the waters of this state with food fishes, of defraying the cost of buying, leasing, maintaining a hatchery or hatcheries, for the introduction into this state of new species of food and **game** fishes and of **game** birds and **game** animals,

Commissioners shall stock the waters of the state with fish and compile the **game and fish** laws.

for the proper protection and propagation of existing species of fishes and of game birds and game animals, for the compiling and printing of the game and fish laws and for their more complete and proper enforcement; *provided*, that upon the written request to the said commissioners or any one of them by the president of any fish and game protective association incorporated under the laws of this state, the said commissioners shall furnish such association each and every year with food and game fishes to the number of not less than one per cent. or more than ten per cent. of the fish hatch for that year, such request or application to be made to said commissioners in writing during the months of January or February of each and every year; and further, that for all moneys so expended by said commissioners a statement be filed with the comptroller on or before the fifteenth day of March in each and every year, and that all expenses and salaries entailed by this act shall in no year exceed twelve thousand dollars.

4. *And be it enacted*, That the said commissioners may and shall appoint, as a special officer, with the approval of the governor, a "fish and game protector," whose duty it shall be, on view or information, to enforce the fishing and game laws within the state by arresting and prosecuting the offender or offenders; who shall have supervision of the fish wardens and shall have power to investigate any and all complaints made to the said commissioners when so directed by said commissioners; and said officer shall have a right at all times and is hereby authorized to visit any dam, weir, fish basket, net or other illegal apparatus for taking fish, for the purpose of removing the same; the said officer may, in the discharge of his duties, call on the aid of any constable or sheriff or other peace officer when deemed necessary, and any such officer neglecting or refusing to aid when thus required shall forfeit twenty-five dollars, to be recovered by action of debt; he shall have power of summary arrest in cases of flagrant violations of the fishing or game laws of this state; he shall hold office at the pleasure of the commissioners, and shall be duly sworn before any justice of the peace or judge of the court of common pleas to the performance of their

Proviso.

Proviso.

They shall appoint, with the approval of the Governor, a fish and game protector.

He shall have supervision of the fish wardens.

Further duties.

Penalties.

Term of office.

duties; he shall make such reports to the said commissioners as may be required by them; he shall be furnished with such appliances as in the judgment of said commissioners may be necessary for the proper performance of their duties; he shall receive an annual salary of nine hundred dollars, to be paid in monthly installments by the state treasurer on the warrant of the comptroller, and all expenses incurred by him in the discharge of his duties shall, upon an authenticated statement of the said commissioners, be paid to him by the treasurer of the state, as the same may be audited by the comptroller of the state.

Reports.

Appliances furnished him.

He shall receive a salary of \$900 and expenses.

5. *And be it enacted*, That the said commissioners may and shall appoint not more than two fish wardens for each and every county of this state, whose duties and powers in their respective counties shall be those conferred upon the fish and game protector by this act; they shall receive compensation at the rate of three dollars per diem when actually engaged in the discharge of their duties, and that sum per diem shall be paid by the treasurer of the state upon a verified statement of said fish warden, approved by the said commissioners.

Commissioners shall appoint two fish wardens for each county.

They shall receive \$3 per diem for each day's actual work.

6. *And be it enacted*, That the said commissioners may, upon the request, in writing, of any ten freeholders, residents of any one county, or of the owner of any fishery, appoint one or more "deputy fish and game protectors," who shall have the same powers and the same duties as the said fish and game protector, except that they shall receive no salary from the state, nor shall there be made to them any allowance whatsoever for expenses incurred; they shall hold office at the pleasure of the said commissioners, and they shall make annually, on or about the first day of November in each and every year, a report to said commissioners.

Deputy fish and game protectors.

Terms of office and report.

7. *And be it enacted*, That the act entitled "A supplement to an act entitled 'An act for the appointment of commissioners for the better protection of the fishing interests of the state of New Jersey,' approved March seventeenth, one thousand eight hundred and seventy," which supplement was approved March twenty-sixth, one thousand eight hundred and seventy-three, be and the same is hereby repealed.

Repeals supplement of 1873.

Repealer.

8. *And be it enacted*, That all acts or parts of acts, general, public, local, special, or otherwise, inconsistent herewith or repugnant hereto, be **and** the same are hereby repealed, **and** that this act shall take effect immediately.
Approved **March 8, 1892.**
