

there is hope of a more congenial warmth above. This, no doubt, often retards the run of shad in the early season and causes a rush and a short catch later on.

Concerning the taking of eggs, it is my opinion that many can be obtained from "Kingston Middle Ground," Catskill, and Stockport, if arrangements are made before the first of June.

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40.—AN ACT TO PROTECT THE FISH IN THE POTOMAC RIVER IN THE DISTRICT OF COLUMBIA, AND TO PROVIDE A SPAWNING-GROUND FOR SHAD AND HERRING IN THE SAID POTOMAC RIVER.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after date of passage of this act, for a term of five years, it shall not be lawful to fish with fyke-net, pound-net, stake-net, weir, float-net, gill-net, haul-seine, or any other contrivance, stationary or floating, in the waters of the Potomac River within the District of Columbia.

SEC. 2. That any person who shall offend against any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon sufficient proof thereof in the police court or other court of the District of Columbia, shall be punished by a fine of not less than ten dollars nor more than one hundred dollars for each and every such offense and shall forfeit to the District his nets, boats, and all other apparatus and appliances used in violation of law, which shall be sold; and the proceeds of such sales, and all fines accruing under this act, shall be paid into the Treasury: *Provided,* That nothing in this act shall be construed to prohibit angling or fishing with the out-line or to prevent the United States Commissioner of Fish and Fisheries, or his agents, from taking from said waters of the Potomac River in the District of Columbia, in any manner desired, fish of any kind for scientific purposes or for the purposes of propagation.

SEC. 3. That from and after three months from the date of the passage of this act it shall be unlawful to allow any tar, oil, ammoniacal liquor, or other waste products of any gas-works or of works engaged in using such products, or any waste product whatever of any mechanical, chemical, manufacturing, or refining establishment to flow into or be deposited in Rock Creek or the Potomac River or any of its tributaries within the District of Columbia or into any pipe or conduit leading to the same; and any one guilty of violating this section shall on conviction as provided in section two of this act, be fined not less than ten dollars nor more than one hundred dollars for each and every day during which said violation shall continue, to be prosecuted for and recovered as provided in the preceding section.

Approved, March 2, 1885.