

INFORMATION FOR THE PRESS



U. S. DEPARTMENT OF AGRICULTURE  
Office of Information  
Press Service



WASHINGTON, D. C.

Release - Immediate.

January 25, 1930.

U. S. GAME PROTECTOR CLEARED OF  
CHARGES OF MISUSING AUTHORITY

United States Game Protector Kenneth F. Roahen, of the Bureau of Biological Survey, U. S. Department of Agriculture, stationed at Peoria, Ill., and several deputy game wardens under his direction, have been exonerated by Secretary of Agriculture Hyde from charges that they had been using their Federal authority to prevent trespassing on properties of private hunting clubs in the Illinois River region. This action was taken following an official investigation made by R. W. Williams, deputy game conservation officer of the Department of Agriculture, who recently spent several days in the Illinois River section interviewing and obtaining evidence from various persons.

The necessity for the investigation grew out of charges against Roahen and his deputies made to the Secretary of Agriculture, followed by the submission of affidavits and other papers, purporting to prove that the Federal employees were protecting the premises of private hunting and fishing clubs along the Illinois River to the detriment of the general public. Mr. Williams's report on his investigation shows that practically all the properties involved in the charges are covered by Federal injunctions against trespassing and points out that "as far back as 20 years or more ago owners of some of the preserves obtained injunctions to restrain trespassing thereon, and in some cases trespassers have been cited and punished for violation of the injunctions. A few of the preserves are owned by nonresidents of Illinois and in those cases injunctions have been sought and obtained from the Federal court in that district. The so-called 'injunction preserves' are extensively posted to that effect."

Each charge of abuse of office against the game protector or his deputies was fully investigated, with the result that the activities of the wardens as such were found to be in no way connected with enforcement of the injunctions or with the prevention of trespass. Mr. Williams reported that he had found nothing against Protector Roahen of a censurable nature and that he was of the opinion that he is performing his duties with diligence, fidelity, and impartiality. Regarding the general situation along the Illinois River, the report states: "As there is practically no duck-hunting territory along the Illinois River outside of private hunting preserves, or areas claimed as such, it is inevitable, if the Federal game officers are to perform at all, that they must operate almost exclusively on such preserves--a situation they did not make and can not avoid. It also is inevitable, and in the course of nature not confined to the Illinois region but universal, that officers of the law, if they and their cause command respect, are first passively and eventually hospitably received by the proprietors of premises on which they go to perform their duties. This is peculiarly so among the type of men who own or control valuable hunting preserves. This in no sense necessarily implies leniency or favor from such officers, and the proof thereof ought to be clear and convincing."

Refuting the general charge of favoritism made by the officers' accusers, the files of the Department of Agriculture show that Protector Roahen and his deputies have arrested or reported for prosecution for violation of the Federal Migratory Bird Treaty Act scores of persons in the Illinois River region, some of whom are reputed to be members of a local county hunting and fishing association and others to be officers and members of various duck-hunting clubs along the river. Mr. Williams in his report states that because of the operation of the game protectors and wardens on the club properties and the friendly relations naturally existing between them and the owners, there appears to have arisen a deep-seated, and no doubt honest, belief among many persons in the region that the wardens must be in sympathy with the preserve owners and ready to serve them in their efforts to prevent trespass on the preserves. This, he added, seems to have led many to make assertions that have been proved to have no foundation in fact.