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LEGISLATURE OF PENNSYLVANIA.

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FILE OF THE HOUSE OF REPRESENTATIVES.

No. **1180** Session of  
**1919.**

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INTRODUCED BY MR. STEVENSON, APRIL 1, 1919.

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REFERRED TO COMMITTEE ON GAME,  
APRIL 1, 1919.

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**AN ACT**

To amend sections one fourteen and sixteen of an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws five hundred seventy-two) entitled "An act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions"

1 Section 1 *Be it enacted by the Senate and House of Repre-*  
2 *sentatives of the Commonwealth of Pennsylvania in General Assembly*  
3 *met and it is hereby enacted by the authority of the same That*  
4 *section one of an act approved the seventh day of June*  
5 *one thousand nine hundred and seventeen (Pamphlet Laws*  
6 *five hundred seventy-two) entitled "An act to provide for*  
7 *the protection and preservation of game game-quadrupeds*  
8 *and game-birds and song and insectivorous and other wild*

1 birds and prescribing penalties for violation of its several  
2 provisons" which reads as follows

3 "Section 1 Be it enacted by the Senate and House  
4 of Representatives of the Commonwealth of Pennsylvania in  
5 General Assembly met and it is hereby enacted by the  
6 authority of the same That whenever in this act the  
7 word person is used such word shall be taken to in-  
8 clude every person partnership instiution association or cor-  
9 poration or the agent or agents or employe therof

10 All words or terms in this act which refer to per-  
11 sons or individuals and which are in the singular num-  
12 ber shall be taken to include the plural number and the  
13 words of the plural number shall include the singular  
14 number All words of a masculine gender shall be taken  
15 to include the feminine gender

16 The following shall be considered game-birds The ana-  
17 tidac commonly known as swan geese brant and river  
18 and sea-ducks and the pygopodes known as loons and  
19 grebes—the members of these two orders being commonly  
20 known as wild water-fowl—the rallidae commonly known as  
21 rails coots mud-hens and gallinules the limicolae commonly  
22 known as shore-birds plover surf-birds snipe woodcock sand-  
23 pipers tattlers and curlew the gallinae commonly known  
24 as wild-turkey grouse pheasants partridges and quail and  
25 the birds commonly known as reed birds and blackbirds

26 The following shall be considered game-animals The  
27 wapiti or elk the deer the bear the wild rabbit and  
28 hare the red gray black and fox squirrel and the rac-  
29 coon

1 The time during which game may be legally taken  
2 or killed shall be known as the open season and in  
3 the designation of seasons and other periods under this act  
4 and under all other laws of this State for the protec-  
5 tion of game such open season or period shall include  
6 both the first and the last day or date mentioned in  
7 the designation

8 The time during which game may not be legally  
9 taken or killed shall be known as the close season is  
10 hereby amended to read as follows

11 Section 1 Be it enacted by the Senate and House  
12 of Representatives of the Commonwealth of Pennsylvania in  
13 General Assembly met and it is hereby enacted by the  
14 authority of the same That whenever in this act the  
15 word person is used such word shall be taken to in-  
16 clude every person partnership institution association or cor-  
17 poration or the agent or agents or employe thereof

18 All words or terms in this act which refer to per-  
19 sons or individuals and which are in the singular num-  
20 ber shall be taken to include the plural number and the  
21 words of the plural number shall include the singular  
22 number All words of a masculine gender shall be taken  
23 to include the feminine gender

24 The following shall be considered game-birds The aná-  
25 tidæ commonly known as swan geese brant and river  
26 and sea-ducks and the pygopodes known as loons and  
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28 known as wild water-fowl—the rallidæ commonly known as  
29 rails coots mud-hens and gallinules the limicolæ commonly

1 known as shore-birds plover surf-birds snipe woodcock sand-  
 2 pipers tattlers and curlew the gallinae commonly known  
 3 as wild-turkey grouse pheasants partridges and quail and  
 4 the birds commonly known as reed birds and blackbirds

5 The following shall be considered game animals The wapiti  
 6 or elk the deer the bear the wild rabbit and hare the  
 7 red gray black and fox squirrel and the raccoon musk-  
 8 rat mink marten and skunk—commonly called polecat

9 Section 2 That section fourteen of said act which reads as  
 10 follows

11 Section 14 It shall be unlawful for any person ex-  
 12 cepting as provided for in this act to take or kill or  
 13 wound or to attempt to take or kill or wound or  
 14 have in possession either living or dead any game-bird  
 15 or game-animal or any part of such bird or animal  
 16 protected by this act The open season for game-birds  
 17 and animals shall be as follows

18 For the ruffed-grouse commonly called pheasant Virginia  
 19 partridge commonly called quail woodcock ring-necked pheas-  
 20 ants Hungarian quail the red gray black and fox squir-  
 21 rel from the twentieth day of October to the thirtieth  
 22 day of November For the wild-turkey from the fifteenth  
 23 day of November to the thirtieth day of November For  
 24 the wild rabbit and the hare from the first day of  
 25 November to the fifteenth day of December For the rac-  
 26 coon from the first day of September to the thirty-first  
 27 day of December For bear from the fifteenth day of  
 28 October to the fifteenth day of December For male deer  
 29 with antlers extending not less than two inches above the

1 hair from the first day of December to the fifteenth  
2 day of the same month For upland or grass plover  
3 from the first day of August to the thirtieth day of  
4 November For the rail coot or mud-hen reed-bird sand-  
5 piper tattler curlew wilson or jack-snipe the birds com-  
6 monly called blackbirds or any other shore-bird excepting  
7 woodcock from the first day of September to the thirtieth  
8 day of November For all kinds of birds known as wild  
9 water-fowl from the fifteenth day of September to the  
10 thirty-first day of January next following

11 Any person who shall violate any provisions of this  
12 section shall be liable to a penalty of one hundred dol-  
13 lars for each deer and a penalty of fifty dollars for  
14 each bear and a penalty of twenty-five dollars for each  
15 wild-turkey or ruffed-grouse or quail or woodcock or ring-  
16 necked pheasant and a penalty of ten dollars for each  
17 rabbit or hare or squirrel or raccoon or wild water-  
18 fowl or shore-bird other than a woodcock or plover or  
19 reed bird or blackbird killed or taken or attempted to  
20 be killed or taken or had in possession at a time  
21 other than that fixed as the open season for such  
22 animals and birds or in any manner contrary to this  
23 section Provided however That ring-necked pheasants raised  
24 strictly in captivity may be killed by the owner of such  
25 birds upon lands such person may own or control with-  
26 out regard to numbers during the open season for  
27 ring-necked pheasants and that any game-bird or animal  
28 raised strictly in capticity and killed or captured within

1 such place of confinement without being first released in  
2 the Commonwealth at large may be killed or captured  
3 at any season of the year without regard to sex or  
4 number or age and may be sold or given away within  
5 the Commonwealth either alive or dead under the rules  
6 and regulations of the Board of Game Commissioners per-  
7 taining to the marking and tagging of game raised in  
8 licensed preserves Provided also That those birds commonly  
9 known as blackbirds may be killed by the owner or  
10 lessee of lands or by the legitimate employe of such owner or  
11 lessee when upon the property under their control such  
12 birds may be destroying either the eggs or the young  
13 of other birds or growing crops or grain or cultivated  
14 fruit or berries and the Board of Game Commissioners  
15 shall have authority to direct the killing of those birds  
16 commonly called blackbirds when satisfied that such birds  
17 have from any cause become a nuisance in the section  
18 wherein they may be located" is hereby amended to read  
19 as follows

20 Section 14 It shall be unlawful for any person ex-  
21 cepting as provided for in this act to take or kill or  
22 wound or to attempt to take or kill or wound or  
23 have in possession either living or dead any game-bird  
24 or game-animal or any part of such bird or animal  
25 protected by this act The open season for game-birds  
26 and animals shall be as follows

27 For ruffed-grouse commonly called pheasant Virginia  
28 partridge commonly called quail woodcock ring-necked pheas-  
29 ants Hungarian quail the red gray black and fox squir-

1 rel from the twentieth day of October to the thirtieth  
2 day of November For the wild-turkey from the fifteenth  
3 day of November to the thirtieth day of November For  
4 the wild rabbit and the hare from the first day of  
5 November to the fifteenth day of December For the rac-  
6 coon muskrat mink marton and skunk—commonly called  
7 polecat from the first day of November to the twenty-  
8 eighth day of February For bear from the first day  
9 of November to the twenty-eighth day of February For  
10 male deer with antlers extending not less than two  
11 inches above the hair from the first day of December to  
12 the fifteenth day of the same month For upland or  
13 grass plover from the first day of August to the  
14 thirtieth day of November For the rail coot or mud-  
15 hen sand-piper tattler curlew Wilson or jack-snipe the  
16 birds commonly called blackbirds or any other shore bird  
17 excepting woodcock from the first day of September to  
18 the thirtieth day of November For all kinds of birds  
19 known as wild water-fowl from the fifteenth day of Sep-  
20 tember to the thirty-first day of January next following

21 Any person who shall violate any provisions of this  
22 section shall be liable to a penalty of one hundred dol-  
23 lars for each deer and a penalty of fifty dollars for  
24 each bear and a penalty of twenty-five dollars for each  
25 wild-turkey or ruffed grouse or quail or woodcock or  
26 ring-necked pheasants and a penalty of ten dollars for  
27 each rabbit or hare or squirrel or raccoon or wild  
28 water-fowl or shore-bird other than a woodcock or plover  
29 or reed bird or blackbird killed or taken or attempted

1 to be killed or taken or had in possession at a time  
2 other than that fixed as the open season for such  
3 animals and birds or in any manner contrary to this  
4 section Provided however That ring-necked pheasants raised  
5 strictly in captivity may be killed by the owner of  
6 such birds upon lands such person may own or control  
7 without regard to numbers during the open season for  
8 ring-necked pheasants and that any game-bird or animal  
9 raised strictly in captivity and killed or captured within  
10 such place of confinement without being first released in  
11 the Commonwealth at large may be killed or captured at  
12 any season of the year without regard to sex or num-  
13 bers of age and may be sold or given away within  
14 the Commonwealth either alive or dead under the rules  
15 and regulations of the Board of Game Commissioners per-  
16 taining to the marking and tagging of game raised in  
17 licensed preserves Provided also That those birds commonly  
18 known as blackbirds may be killed by the owner or  
19 lessee of lands or by the legitimate employe of such  
20 owner or lessee when upon the property under their con-  
21 trol such birds may be destroying either the eggs or  
22 the young of other birds or growing crops or grain or  
23 cultivated fruit or berries and the Board of Game Com-  
24 missioners shall have authority to direct the killing of  
25 those birds commonly called blackbirds when satisfied that  
26 such birds have from any cause become a nuisance in  
27 the section wherein they may be located

28 Section 3 That section sixteen of said act which  
29 reads as follows

1 by the laws of this Commonwealth between sunset of one  
2 day and sunrise of the day following or to take or  
3 kill or wound or to attempt to take or kill or wound  
4 game of any kind except through the use of a gun  
5 such as is usually raised at arm's length and fired from  
6 the shoulder or through the use of a pistol other than  
7 an automatic pistol or a revolver such as is usually  
8 held in the hand and fired at arm's length and no  
9 person except as provided for by this act shall at any  
10 time set lay or prepare for use or use any trap snare  
11 net bird-lime swivel-gun the apparatus known as a sil-  
12 encer deer-lick pit-fall turkey blind turkey call or turkey  
13 pen for the purpose of catching or taking or killing  
14 game of any kind or shall shoot at or take or kill  
15 or attempt to shoot or take or kill game-birds or  
16 animals of any kind from an automobile or vehicle of  
17 any kind propelled by any mechanical power or shall  
18 make use of or take advantage of any artificial light  
19 battery or other contrivance or device except the before-  
20 mentioned gun with intent to catch take or injure or  
21 kill any of the game-animals or game-birds found in this  
22 Commonwealth—excepting that raccoons may be hunted for  
23 and be killed at any time either day or night during  
24 the open season Sunday excepted for such animals and  
25 may be killed or captured in any manner that to the  
26 "Section 16 It shall be unlawful to hunt for or to  
27 catch or to kill or to attempt to catch or kill any  
28 of the game-birds or any of the game-animals protected

1 hunter may seem best and may be retained in captivity  
2 or sold dead or alive at any time either within or  
3 outside the Commonwealth if taken during the open sea-  
4 son and that decoys in numbers as provided for in this  
5 act and blinds may be used in hunting wild water-fowls  
6 and that residents under the age of fourteen years may  
7 take rabbits through the use of box-traps during the open  
8 season upon the lands whereon such persons reside

9 Any person violating any provision of this section shall  
10 upon conviction be liable to a penalty of two hundred  
11 dollars and six months' imprisonment for each elk and  
12 a penalty of one hundred dollars for each deer and fifty dollars  
13 for each bear and ten dollars for each rabbit or hare or squirrel  
14 and twenty-five dollars for each game-bird taken killed or  
15 wounded contrary to this section Provided That as a  
16 protection to growing crops vegetables and fruit-trees rac-  
17 coons and rabbits may be killed by the owner or lessee  
18 of lands or by the employe of such owner or lessee  
19 upon which lands such animals may be committing de-  
20 predations at any time and in such manner as may be  
21 best suited to secure the desired end Provided also That  
22 it shall be lawful to use steel traps not to exceed in  
23 size a standard number three for the purpose of taking  
24 wildcats and other wild animals classed as vermin so  
25 long as such traps are not set where rabbits and other  
26 protected game may be caught in such traps" is hereby  
27 amended to read as follows

28 Section 16 It shall be unlawful to hunt for or to  
29 catch or to kill or to attempt to catch or kill any

1 of the game-birds or any of the game-animals protected by  
2 the laws of this Commonwealth between sunset of one  
3 day and sunrise of the day following or to take or  
4 kill or wound or to attempt to take or kill or wound  
5 game of any kind except through the use of a gun  
6 such as is usually raised at arm's length and fired from  
7 the shoulder or through the use of a pistol other than  
8 an automatic pistol or a revolver such as is usually  
9 held in the hand and fired at arm's length and no  
10 person except as provided for by this act shall at any  
11 time set lay or prepare for use or use any trap snare  
12 net bird-lime swivel-gun the apparatus known as a silencer  
13 deer-lick pit-fall turkey blind turkey call or turkey pen  
14 for the purpose of catching or taking or killing game  
15 of any kind or shall shoot at or take or kill or at-  
16 tempt to shoot or take or kill game-birds or animals of  
17 any kind from an automobile or vehicle of any kind  
18 propelled by any mechanical power or shall make use  
19 of or take advantage of any artificial light battery or  
20 other contrivance or device except the before-mentioned gun  
21 with intent to catch take or injure or kill any of the  
22 game-animals or game-birds found in this Commonwealth—  
23 excepting that raccoons may be hunted for and be killed  
24 at any time either day or night during the open season  
25 Sunday excepted for such animals and may be killed or  
26 captured in any manner that to the hunter may seem  
27 best and may be retained in captivity or sold dead or  
28 alive at any time either within or outside the Common-  
29 wealth if taken during the open season and that decoys

1 in numbers as provided for in this act and blinds may  
2 be used in hunting wild water-fowls and that residents  
3 under the age of fourteen years may take rabbits through  
4 the use of box-traps during the open season upon the  
5 lands whereon such persons reside Provided that this sec-  
6 tion shall not apply to muskrat mink marten and skunk  
7 —commonly called polecat

8 Any person violating any provision of this section shall  
9 upon conviction be liable to a penalty of two hundred  
10 dollars and six month's imprisonment for each elk and  
11 a penalty of one hundred dollars for each deer and  
12 fifty dollars for each bear and ten dollars for each  
13 rabbit or hare or squirrel and twenty-five dollars for each  
14 game-bird taken killed or wounded or attempted to be  
15 taken killed or wounded contrary to this section Provided  
16 That as a protection to growing crops vegetables and  
17 fruit-trees raccoons muskrats mink marten skunk—commonly  
18 called polecat and rabbits may be killed by the owner  
19 or lessee of lands or by the employe of such owner  
20 or lessee upon which lands such animals may be com-  
21 mitting depredations at any time and in such manner  
22 as may be best suited to secure the desired end Pro-  
23 vided also That it shall be lawful to use steel traps  
24 not to exceed in size a standard number three for the  
25 purpose of taking wildcats and other wild animals classed  
26 as vermin so long as such traps are not set where  
27 rabbits and other protected game may be caught in such  
28 traps