

(b) Proof that no person has been misled or deceived, or otherwise damaged by any violation of this act, shall not constitute a defense in any prosecution under this act.

(c) Proof that the defendant did not knowingly or intentionally violate such provision shall constitute a good defense in any prosecution for a misdemeanor under this act.

Section 4. Application of Act.—Nothing in this act shall apply to any television or sound radio broadcasting station or to any publisher or printer of a newspaper, magazine or other form of printed advertising, who broadcasts, publishes or prints such advertisement. Applicability.

Section 5. This act shall take effect in ten days. Effective date.

APPROVED—The 13th day of June, A. D. 1961.

DAVID L. LAWRENCE

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No. 174

AN ACT

Amending the act of June 3, 1937 (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," adding and increasing certain penalties and conforming a section to show a previous repeal.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: The Game Law.

Section 1. Section 321, act of June 3, 1937 (P. L. 1225), known as "The Game Law," is amended to read: Section 321, act of June 3 1937. P. L. 1225, amended.

Section 321. Penalties.—Any nonresident of this Commonwealth who shall hunt, chase, trap, take, shoot at, wound, or kill, or attempt to hunt, chase, trap, take, shoot at, wound, kill, or have in possession any wild birds or animals, without a nonresident hunting or trapping license having been lawfully issued to him, shall be sentenced to pay a fine of fifty dollars (\$50) and costs of prosecution for each offense, and each day shall be considered a separate offense. Penalties—nonresident.

Any person who shall fail to sign his license certificate as hereinbefore provided shall be sentenced to pay a fine of [one dollar] *two dollars* (\$2) and costs of prosecution. Signing license.

Any person, properly licensed, who shall fail to display his license tag as hereinbefore provided, shall be sentenced to pay a fine of five dollars (\$5) and costs of prosecution, provided it is shown the person has pur- Failure to display license.

chased a license; otherwise, a penalty of twenty dollars (\$20) and costs of prosecution shall be imposed.

[Any licensee who shall fail to submit to the commission the report of game birds or animals or fur-bearing animals, as required by this act shall be sentenced to pay a fine of two dollars and costs of prosecution.]

Other violations. Any person who violates any of the provisions of this article except as above provided, shall, upon conviction, be sentenced to pay a fine of twenty dollars (\$20) and costs of prosecution of each offense: Provided, That an

Additional fine. additional fine of twenty dollars (\$20) and costs of prosecution shall be imposed when any person is convicted of:

Hunting during revocation. (a) Hunting or trapping anywhere during any period of time that such right has been denied him by the commission, or by this act, and each day shall be considered a separate offense;

(b) Securing a hunter's license either in his own or an assumed name during any period of time that he has been denied such privilege by the commission;

(c) Hunting or trapping anywhere during any period of time that such right has been denied him by the commission or any court of record because of inflicting bodily injury upon himself or any other person while hunting or trapping, shall, upon conviction, in addition to the penalties provided, be sentenced to suffer imprisonment for a period of thirty (30) days.

Imprisonment. Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution, he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution.

Second offense. Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution, and in addition thereto shall, in the discretion of the court, suffer imprisonment one day for each dollar of fine imposed.

APPROVED—The 13th day of June, A. D. 1961.

DAVID L. LAWRENCE

—
No. 175

AN ACT

Amending the act of June 3, 1937 (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," making it unlawful to assist in the taking, killing or wounding of any game, and providing penalties.

The Game Law. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: