

**HOUSE . . . . . No. 3255**

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**The Commonwealth of Massachusetts**

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HOUSE OF REPRESENTATIVES, February 8, 1962.

The committee on Bills in the Third Reading, to whom was referred the Bill providing for certain fines for taking of wild turkeys (House, No. 1638), report recommending that the same be amended by the substitution of the accompanying bill (House, No. 3255).

For the committee,

ANTHONY M. COLONNA.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Two.

### AN ACT INCREASING THE FINE FOR THE TAKING OF WILD TURKEYS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 131 of the General Laws is hereby amended by strik-  
2 ing out section 53, as most recently amended by chapter 440  
3 of the acts of 1958, and inserting in place thereof the following  
4 section: —

5 SECTION 53. Whoever hunts or has in his possession a wild  
6 turkey or takes a nest or eggs of a wild turkey shall be punished  
7 by a fine of not less than five hundred nor more than one thou-  
8 sand dollars for each bird taken, killed or had in possession or  
9 for each egg disturbed, destroyed, possessed or taken or in case  
10 the complaint relates only to hunting, by a fine of not less than  
11 five hundred nor more than one thousand dollars for the offense,  
12 and whoever, except as otherwise provided in this chapter, hunts  
13 or has in his possession any other wild or undomesticated bird,  
14 except an English sparrow, bronzed or purple grackle (crow  
15 blackbird), crow, jay or starling, or wilfully destroys, disturbs  
16 or takes a nest or eggs of any wild or undomesticated bird,  
17 except such as are not protected by this section, shall be punished  
18 by a fine of not less than twenty nor more than fifty dollars for  
19 each bird taken, killed or had in possession or for each nest or  
20 egg disturbed, destroyed, possessed or taken, or, in case the  
21 complaint relates only to hunting, by a fine of not less than  
22 twenty nor more than fifty dollars for the offense; but an owner  
23 or tenant of land, or, if authorized by such owner or tenant, an  
24 member of his family or person permanently employed thereon,  
25 may kill or attempt to kill any wild bird which he has reasonable  
26 cause to believe has damaged or is about to damage any prop-  
27 erty, including domesticated animals, poultry and game on  
28 game-rearing farms or preserves, and a person who has a cer-  
29 tificate from the director that he is engaged in the scientific

30 study of ornithology or is collecting in the interests of a scientific  
31 institution may at any time take or kill, or take the nests or eggs  
32 of, a wild or undomesticated bird, except woodcock, ruffed grouse  
33 and quail. This section shall not authorize a person to enter  
34 upon private grounds without the consent of the owner thereof  
35 for the purpose of taking nests or eggs or killing birds. No city,  
36 town, county or private organization shall offer or pay bounties  
37 for the killing or taking of any bird.

