

HOUSE . . . . . No. 1203.

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Commonwealth of Massachusetts.

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HOUSE OF REPRESENTATIVES, April 2, 1900.

The committee on Fisheries and Game, to whom was re-committed the petitions (with accompanying bill, House, No. 549) of James H. Bennett, chairman of the legislative committee of the Boston Fruit and Produce Exchange and others for legislation to provide for the better protection and to regulate the sale of game birds, report the accompanying bill.

Mr. LEACH of the Senate, and Mr. MILLS of Newburyport, of the House, dissent.

For the Committee,

HARRY D. HUNT.

## Commonwealth of Massachusetts.

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In the Year One Thousand Nine Hundred.

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### AN ACT

To provide for the Better Protection and to regulate  
the Sale of Game Birds.

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

1 SECTION 1. Whoever takes or kills or has in  
2 his possession a woodcock, or a ruffed grouse,  
3 commonly called a partridge, or, except as here-  
4 inafter provided, a quail between the first day of  
5 December and the tenth day of October shall be  
6 punished by a fine of twenty dollars for every  
7 bird so taken or killed, or had in possession,  
8 whenever or wherever the said birds may have  
9 been taken or killed; and whoever buys, sells,  
10 offers for sale, or has in his possession for the  
11 purpose of sale, any woodcock or ruffed grouse,  
12 commonly called partridge, at any time within  
13 three years from the passage of this act, when-  
14 ever or wherever the said birds may have been

15 taken or killed, shall be punished by a fine of  
16 twenty dollars for each and every bird so bought,  
17 sold, offered for sale or in his possession for the  
18 purpose of sale.

1 SECTION 2. Whoever takes or kills a pin-  
2 nated grouse at any time, or a wood or summer  
3 duck, black duck or teal, between the first day  
4 of March and the first day of September, or  
5 any of the scoters commonly called coots be-  
6 tween the twentieth day of May and the first  
7 day of September; and whoever buys, sells,  
8 or has in his possession any of the birds named  
9 in this section and protected thereby during  
10 the time within which the taking or killing  
11 thereof is prohibited, whenever or wherever the  
12 said birds may have been taken or killed, shall be  
13 punished by a fine of twenty dollars for every bird  
14 so taken or killed, or had in possession: *provided*,  
15 *however*, that any person, firm or corporation deal-  
16 ing in game or engaged in the cold storage busi-  
17 ness may buy, sell, or have in possession, and any  
18 person may buy from such person, firm or corpora-  
19 tion, and have in possession, if so bought, quail  
20 from the first day of October to the first day of  
21 May; and any such person, firm or corporation  
22 may have in possession on cold storage, quail,  
23 and may buy, sell and have in possession, and any  
24 person may buy from such person, firm or cor-  
25 poration, pinnated grouse, wild pigeons and any  
26 of the so-called shore, marsh or beach birds, or  
27 any of the so-called duck species, at any season,

28 if said quail, grouse or other birds have not been  
29 taken or killed in this Commonwealth contrary to  
30 the provisions of this act.

1 SECTION 3. Section one of chapter two hun-  
2 dred and five of the acts of the year eighteen  
3 hundred and ninety-four and chapter one hundred  
4 and ninety-five of the acts of the year eighteen  
5 hundred and ninety-eight, are hereby repealed,  
6 but such repeal shall not effect any forfeiture  
7 incurred, suit or proceeding pending or action  
8 accrued under said section and chapter.

1 SECTION 4. This act shall take effect upon its  
2 passage.