

HOUSE No. 526

By Mr. McCarthy of East Bridgewater (by request), petition of the Massachusetts Farm Bureau Federation for legislation relative to the use of jacklights or artificial lights in the killing of deer which have damaged or are about to damage growing crops or trees. Conservation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-One.

AN ACT RELATIVE TO THE HUNTING OF DEER.

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 78 of chapter 131 of the General Laws, as
2 amended by chapter 304 of the acts of 1949, is hereby
3 further amended by striking out the first paragraph
4 and inserting in place thereof the following para-
5 graph:—
6 *Section 78.* Whoever constructs, erects, sets, uses,
7 locates, repairs, tends or maintains any snare for the
8 purpose of catching or killing any mammal, or hunts
9 a mammal, or hunts a mammal by such means or by
10 the aid or use of any motor vehicle, or hunts a mam-
11 mal by the aid or use of artificial light except as
12 authorized herein, shall be punished by a fine of not
13 less than fifty nor more than two hundred dollars.
14 The construction, erection, setting, using, locating,
15 repairing, tending or maintenance of any snare by
16 any person shall be prima facie evidence of a viola-

17 tion by him of this section. Upon application to the
18 director by the owner or occupant of land, the direc-
19 tor may grant to him a permit authorizing him, or a
20 member of his family, or a person, other than an
21 alien, employed by him if authorized by him so to
22 do, for such period during the close season for deer,
23 not exceeding ninety days, as may be specified in the
24 permit, to set or use a jacklight or any other artificial
25 light, but not in conjunction with any motor vehicle,
26 on such land for the purpose of taking, injuring or
27 killing any deer thereon which he has reasonable
28 cause to believe has damaged or is about to damage
29 crops or fruit trees thereon; and in the event of the
30 taking, injuring or killing of a deer as aforesaid, the
31 person by whom or under whose direction the deer
32 was taken, injured or killed shall within twenty-four
33 hours thereafter send to the director a written report,
34 signed by him, of the facts relative to the said taking,
35 injuring or killing.