

# HOUSE . . . . No. 1791

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, February 1, 1935.

The committee on Bills in the Third Reading, to whom was referred the Bill relative to the Open Season for Deer in Nantucket County (House, No. 7, changed), report recommending that the same be amended by the substitution of the accompanying bill (House, No. 1791).

For the committee,

PHILIP SHERMAN.

## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Thirty-Five.

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An Act relative to the Open Season on Deer in Nantucket County.

*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. Section one hundred and nine of  
2 chapter one hundred and thirty-one of the General  
3 Laws, as most recently amended by section two of  
4 chapter one hundred and ninety-two of the acts of  
5 nineteen hundred and thirty-three, is hereby further  
6 amended by striking out, in the fifth line, the words  
7 "Nantucket and",—so as to read as follows:—  
8 *Section 109.* Subject to the restrictions and provi-  
9 sions hereinafter contained, any person duly author-  
10 ized to hunt in the commonwealth may hunt a deer,  
11 by the use of a shotgun or bow and arrow, in all  
12 counties except Barnstable, between one half hour  
13 before sunrise and one half hour after sunset of each  
14 day beginning with the first Monday in December  
15 and ending with the following Saturday, and in any  
16 or all of the counties of Berkshire, Franklin, Hamp-  
17 den and Hampshire, if the additional hunting period  
18 hereinafter specified is authorized in such county or  
19 counties by the director, as evidenced by an order  
20 filed in his office and advertised in a newspaper or

21 newspapers published in such county or counties not  
22 less than ten days prior to the first Monday in De-  
23 cember, between one half hour before sunrise and  
24 one half hour after sunset of each day, beginning  
25 with the second Monday in December and ending  
26 with the following Saturday. No person shall,  
27 except as provided in the preceding section, kill more  
28 than one deer. No deer shall be hunted on land  
29 posted in accordance with section one hundred and  
30 twenty-three, or on land under control of the metro-  
31 politan district commission, or in any state reserva-  
32 tion subject to section one hundred and fourteen  
33 except as provided therein. No person shall make,  
34 set or use any trap, torch light or jack light, salt  
35 lick or other device for the purpose of ensnaring,  
36 enticing, taking, injuring or killing a deer. No  
37 person shall use or carry on his person an arrow  
38 adapted for hunting purposes unless it is plainly  
39 marked with his name and permanent address.  
40 Whoever wounds or kills a deer shall, within forty-  
41 eight hours thereafter, send to the director a written  
42 report, signed by him, of the facts relative to the  
43 wounding or killing. Whoever violates any provi-  
44 sion of this section shall be punished by a fine of not  
45 less than fifty nor more than one hundred dollars.

1 SECTION 2. Section one hundred and twelve of  
2 said chapter one hundred and thirty-one, as most  
3 recently amended by section three of said chapter  
4 one hundred and ninety-two, is hereby further  
5 amended by striking out, in the second line, the  
6 words "Nantucket or", — so as to read as follows: —  
7 *Section 112.* No person shall in any county except  
8 Barnstable between one half hour before sunrise on

9 the first Monday in December and one half hour  
10 after sunset on the following Saturday, or, in Berk-  
11 shire, Franklin, Hampshire or Hampden county,  
12 between one half hour before sunrise on the second  
13 Monday in December and one half hour after sunset  
14 on the following Saturday, if such additional period  
15 for hunting deer is authorized in such county under  
16 section one hundred and nine, hunt a bird or mam-  
17 mal with a rifle, revolver or pistol or by the aid of a  
18 dog, or have in his possession, or under his control,  
19 in any wood or field, a rifle, revolver or pistol, or a  
20 dog adapted to the hunting or pursuing of birds or  
21 mammals, or, while in pursuit of birds or mammals,  
22 have in his possession, or under his control, on any  
23 highway, any such firearm or dog.

1 SECTION 3. There shall be an open season on deer  
2 in Nantucket county in the current year between  
3 one half hour before sunrise and one half hour after  
4 sunset of each day beginning with February eleventh  
5 and ending with February sixteenth, in addition to  
6 the regular open season provided by said section one  
7 hundred and nine, as amended by this act, and all  
8 the restrictions and provisions contained in said  
9 sections one hundred and nine and one hundred and  
10 twelve, as respectively amended by this act, shall  
11 apply during the open season established by this  
12 section.

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