

Veto

3/19

265

ENROLLED BILL

House Bill No. 265.

(By Mr. Hyre, by request —)

Passed March 14, 1931

In Effect Ninety days from Passage

Originated in the *House*..... Takes effect *thirty days after passage*..... Passage.
.....*W. H. Harrison*..... Clerk of the House of Delegates.
Clerk.

CORRECTLY ENROLLED

Stewart Meadows..... Chairman House Committee.
Jacob D. Smith..... Chairman Senate Committee.

ENROLLED BILL

(H. B. No. 265)

[Passed March 14, 1931; in effect ninety days from passage.]

AN ACT to protect and to close the hunting, killing, shooting, trapping, snaring, hooking, spearing, killing by means of poisoning, explosives, chemical or mechanical devices, smokers or by any other means, or have in possession any red fox, or to disturb, mutilate or destroy the house, or den of any red fox, or cut any tree housing any red fox for a period of six years in Upshur, Harrison, Jackson, Hardy and Taylor counties, West Virginia, providing for the lawful killing and taking of any red fox in the aforesaid named counties actually found damaging or destroying poultry or other personal property of a land owner, by such land owner, his family, employee, agent or tenant, providing for the chasing for sport of red foxes, and providing that the pelt of any red fox so killed shall be taken from and off the market and shall not be sold during the closed season.

Be it enacted by the Legislature of West Virginia:

Section 1. It shall be unlawful for any person, persons, asso-

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James D. Smith

Chairman Senate Committee.

Benjamin M. Mendenhall

Chairman House Committee.

2

[Enrolled H. B. No. 265

2 ciation or associations, to catch, kill, or injure by means of gun or
3 guns, snare or snares, trap or traps, spear or spears, hook or
4 hooks, or by means of poison, the use of explosives, chemicals or
5 mechanical devices, smokers, or by any other means, any red
6 fox or to have in his, her, it, its or their possession any live red
7 fox or any raw fur of any red fox, or to disturb, mutilate or de-
8 stroy the house or den of any red fox, or to cut down or into
9 any tree knowingly which contains the den of any red fox, in the
10 counties of Upshur, Jackson, Hardy or Taylor, state of West
11 Virginia, after the passage of this act for a period of six years :
12 *Provided*, That nothing in this act shall prevent any person, per-
13 sons, association or associations from chasing the red fox for
14 sport during the closed season : *And provided further*, That noth-
15 ing herein shall prohibit the owner of real estate, any member
16 of his family, his employee or his duly authorized agent, or his
17 tenant in possession of said land from killing otherwise than by
18 poison, explosives, chemicals or smoke any red fox actually
19 found damaging or destroying his poultry or other personal
20 property on his premises : *And provided further*, That the pelt
21 of any red fox so killed in Upshur, Harrison, Jackson, Hardy or
22 Taylor counties as aforesaid shall not be offered, exposed or put

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Jacob D. Smith

Chairman Senate Committee.

Bruneau Thaddeus

Chairman House Committee.

Enrolled H. B. No. 265]

3

23 on market for sale in said county, or in any other county or
24 counties in the state of West Virginia or in any other state in
25 the United States during said such closed season.

Sec. 2. Any person, persons, association or associations vio-
2 lating this act or any provision thereof, shall be guilty of a mis-
3 demeanor and upon conviction thereof shall for each offense be
4 fined not less than twenty dollars nor more than one hundred
5 dollars or confined in the county jail not less than ten nor more
6 than thirty days, or both fined and imprisoned, in the discretion
7 of the court within the limitations aforesaid.

Sec. 3. All acts and parts of acts that contravene or are in
2 conflict with this act are hereby repealed.

CORRECTLY ENROLLED

James H. Smith
Chairman Senate Committee.

J. Alfred Taylor
Speaker of the House of Delegates.

W. H. Thayer
Clerk of the House of Delegates.

W. H. White
President of the Senate.

W. S. Hodges
Clerk of the Senate.

The within is *Disapproved for*
masses assigned and other birds
this *20th* day of *March* 1931.

W. H. Kelley
Governor.

Clarence D. Madaw
Chairman House Committee.

Respectfully submitted,

W. H. Kelley
Governor.