

43

ENROLLED BILL

House Bill No. 43.

(By Mr. Rife)

Passed March 13, 1931

In Effect Ninety days from Passage

ENROLLED BILL

(H. B. No. 43)

[Passed March 13, 1931; in effect ninety days from passage.]

AN ACT to protect and to close the hunting, killing, taking and trapping of red foxes in the counties of Wayne, Tyler, Logan, Wood, Hardy, Mercer, Marion, Preston, Wetzel, Kanawha, Putnam, Nicholas, Hancock, Pleasants, Ritchie, Lincoln and Calhoun, in the state of West Virginia.

Be it enacted by the Legislature of West Virginia:

Section 1. It shall be unlawful for any person to catch, kill or injure by means of a gun, snare, trap or poison, or by any other means any red fox or to have in his possession any live red fox or any raw fur of red fox in Wayne, Tyler, Logan, Wood, Hardy, Mercer, Marion, Braxton, Preston, Wetzel, Kanawha, Putnam, Nicholas, Hancock, Pleasants, Ritchie, Lincoln and Calhoun counties on and after the passage of this act: *Provided*, That nothing herein shall prohibit a landowner from killing otherwise than by poison any red fox actually seen by him in wounding or killing any chickens or other domestic fowls while

CORRECTLY ENROLLED

Originated in the House
Takes effect ninety days from passage
Clerk of the House of Delegates

Clerk of the House of Delegates

Clerk

Chairman Senate Committee

Chairman House Committee

Joseph D. Smith

Chairman Senate Committee.

Bruneet Madsen

Chairman House Committee.

11 on the enclosed lands of said owner: *Provided further*, That
 12 nothing herein shall prevent or inhibit the chasing of red fox by
 13 dogs for sport and without any intent to kill or capture red fox,
 14 nor prevent the purchase, propagation, or possession of red foxes
 15 in Wayne, Logan, Wood, Hardy, Mercer, Marion, Braxton, Pres-
 16 ton, Wetzel, Kanawha, Putnam, Nicholas, Hancock, Pleasants,
 17 Ritchie, Lincoln and Calhoun counties for the purpose of raising
 18 and turning loose red fox within the limits of said counties.

Sec. 2. It shall be unlawful for any person to set steel traps,
 2 deadfalls, snares or other traps which would endanger the lives
 3 and limbs of red foxes and dogs on any open land in Wayne,
 4 Logan, Wood, Hardy, Mercer, Marion, Braxton, Preston,
 5 Wetzel, Kanawha, Putnam, Nicholas, Hancock, Pleasants,
 6 Ritchie, Lincoln and Calhoun counties, but nothing herein
 7 shall prevent an owner of real estate from setting traps in
 8 holes or dens of wild animals or in and about his house and barn
 9 or other outbuildings or in places on his land where the lives and
 10 limbs of red foxes and dogs would not be endangered thereby.

Sec. 3. It shall be unlawful for any person to promiscuously
 2 put out poison bait or poison food in Wayne, Logan, Wood,
 3 Hardy, Mercer, Marion, Braxton, Preston, Wetzel, Kanawha,

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James D. Smith

Chairman Senate Committee.

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4 Putnam, Nicholas, Hancock, Pleasants, Ritchie, Lincoln and
5 Calhoun counties whereby the lives of dogs and other animals
6 may be endangered thereby.

Sec. 4. Any person violating section one of this act shall be
2 guilty of a misdemeanor and upon conviction thereof shall for
3 each offense be fined not less than one hundred dollars nor more
4 than three hundred dollars or confined in the county jail not less
5 than thirty days nor more than six months or both fined and im-
6 prisoned, in the discretion of the court within the limits afore-
7 said and the justices of the peace of Wayne, Logan, Wood,
8 Hardy, Mercer, Marion, Braxton, Preston, Wetzel, Kanawha,
9 Putnam, Nicholas, Hancock, Pleasants, Ritchie, Lincoln and Cal-
10 houn counties shall have concurrent jurisdiction as to such of-
11 fenses with the circuit courts of said counties.

12 Any person violating any provision of sections two and three
13 of this act shall be guilty of a misdemeanor and upon conviction
14 thereof shall be fined not less than twenty-five dollars nor more
15 than one hundred dollars or confined in the county jail not less
16 than ten days nor more than thirty days, or both fined and im-
17 prisoned, in the discretion of the court within the limitations
18 aforesaid.

Chairman House Committee.

James D. Smith

March 17, 1931

TO THE SENATE OF STATE:

There is herewith deposited in your office
House Bill No. 43, disapproved for the following
reasons:

to protect the foxes. It is my opinion
that the foxes are a pest to the
purposes of the State, and it is my opinion
that the foxes are a pest to the State.

within the State, and it is my opinion
that the foxes are a pest to the State.

within the State, and it is my opinion
that the foxes are a pest to the State.

within the State, and it is my opinion
that the foxes are a pest to the State.

The within is
for the foxes assigned and attached
this..... day of..... 1931.

Respectfully submitted,
Governor.

hunting of foxes may be engaged in
under the present law, but the hunter must get per-
mission to go upon the lands, and must have some
regard for the wishes of the property owner. So the
vetoing of this bill does not preclude the sport of
fox hunting.

Respectfully submitted,

Filed in the office of the Secretary of State
of West Virginia MAR 18 1931
GEORGE W. STARR,
Secretary of State.

CORRECTLY ENROLLED

Chairman Senate Committee.
Chairman House Committee.