

pending, discharged, demoted or reinstated in accordance with the order of the court.

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APPROVED—The 28th day of April, A. D. 1961.

DAVID L. LAWRENCE

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No. 57

AN ACT

Amending the act of June 3, 1937 (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," permitting unnaturalized foreign-born residents to possess or control dogs.

The Game Law. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1003, act of June 3, 1937, P. L. 1225, amended.

Prima Facie Evidence.

Section 1. Section 1003, act of June 3, 1937 (P. L. 1225), known as "The Game Law," is amended to read:

Section 1003. Prima Facie Evidence of Violations.—The possession of a shotgun or rifle or pistol or firearm of any make or kind, [or of a dog of any kind,] by an unnaturalized foreign-born resident, shall be prima facie evidence of a violation of the provisions of this article.

The presence of a shotgun or rifle or pistol or firearm of any make or kind [, or of a dog of any kind] in a room or house or building or tent or camp of any description, occupied or controlled by an unnaturalized foreign-born resident, shall be prima facie evidence that such firearm [or dog] is owned or controlled by the person occupying or controlling the property in which the same is found, and shall render such person liable to the fines imposed by this article.

Section 1004 of the act, amended April 14, 1949, P. L. 434, further amended.

Section 2. Section 1004 of the act, amended April 14, 1949 (P. L. 434), is amended to read:

Section 1004. Penalties.—Any person violating the provisions of this article shall, upon conviction, be sentenced to pay the following fines and costs of prosecution for each offense:

For the capturing or killing, or aiding in the capturing or killing, contrary to the provisions of this article, any wild bird or animal,

(a) Each elk, two hundred dollars (\$200), and, in the discretion of the court, six months' imprisonment.

(b) Each deer, one hundred dollars (\$100).

(c) Each bear, two hundred dollars (\$200).

(d) Each wild turkey, ruffed grouse, ringneck pheasant, quail, partridge, or woodcock, twenty-five dollars (\$25).

(e) Each raccoon, twenty-five dollars (\$25).

(f) Each other bird or animal, ten dollars (\$10).

For hunting in any manner, or for owning or possessing a shotgun or rifle or pistol or firearm, contrary to the provisions of this article, twenty-five dollars (\$25) and costs of prosecution.

[For owning or possessing a dog, contrary to the provisions of this article, fifteen dollars and costs of prosecution.]

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution, he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution.

Any person convicted of a second and subsequent offense shall be liable to the fines above provided and costs of prosecution, and in addition thereto, shall, in the discretion of the court, suffer imprisonment one day for each dollar of fine imposed.

Section 3. Section 1005 of the act is amended to read:

Section 1005 of the act, amended.

Section 1005. Forfeiture of Firearms [and Dogs].—All shotguns, rifles, pistols *and* firearms [and dogs] found in possession or under control of an unnaturalized foreign-born resident shall, upon the conviction of any such person, or upon his signing an acknowledgment of guilt as hereinafter provided in this act, be forfeited to the Commonwealth. All such firearms shall be sold by the commission as hereinafter provided. [All such dogs shall be either killed in a humane manner or disposed of in such manner as the commission may direct.]

Disposition.

APPROVED—The 28th day of April, A. D. 1961.

DAVID L. LAWRENCE

No. 58

AN ACT

Amending the act of May 1, 1933 (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," authorizing appropriations for mosquito control programs.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

The Second Class Township Code.